JOURNAL

OF THE

REGULAR SESSION

OF THE

House of Representatives

OF THE

Commonwealth of Kentucky

Begun and Held in the City of Frankfort, the Sixth Day of January, in the Year of Our Lord 1914, and of the Commonwealth One Hundred and Twenty

---

PROPERTY OF THE STATE OF KENTUCKY

THE STATE JOURNAL COMPANY
Printers to the Commonwealth
Frankfort, Ky.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 6, 1914.

At a General Assembly of the Commonwealth of Kentucky, began and held at the Capitol, in the City of Frankfort, on Tuesday the 6th day of January, in the year of our Lord, one thousand nine hundred and fourteen, and the one hundred and twenty-second year of the Commonwealth, that being the day fixed by the Constitution for the meeting thereof, James E. Stone, Chief Clerk of the House of Representatives last passed, called the House to order and after prayer by the Rev. J. R. Zeigler, Pastor of the Presbyterian Church, Northern Assembly, produced and read the following certificate from the Secretary of State, viz.:

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE.

I, C. F. Crecelius, Secretary of State of the Commonwealth of Kentucky, hereby certify that at a regular election held on the 4th day of November, 1913, the following named persons were duly elected as members of the House of Representatives of the Commonwealth of Kentucky as appears from certificates of election on file in my office, to-wit:

From the Counties of:

Adair and Cumberland	A. W. Sharp.
Allen	A. J. Oliver.
Anderson	Benjamin L. Cox.
Ballard and Carlisle	Vert C. Fraser.
Barren	J. B. Harvey.
Bath and Rowan	Thomas J. Evans.
Bell, Harlan, Leslie and Perry	J. J. Huff.
Boone	W. T. Stott.
Bourbon	R. B. Hutchcraft.
Boyd and Lawrence	John McDyer.
Boyle	M. J. Farris, Jr.
Bracken	H. C. Blades.
Breathitt, Lee and Magoffin	Wallace Bailey.
Breckinridge	Walter E. Henninger.
Bullitt and Spencer	J. W. Barrall.
Butler and Edmonson	B. T. Rountree.
Caldwell	Joseph Boitnott.
Calloway	T. R. Jones.
Campbell, 1st District	Louis Tieman.
Campbell, 2nd District	Peter Ampler.
Carroll and Gallatin	Frank C. Green.
Carter and Elliott	T. T. Mobley.
Casey and Russell	Lilburn Phelps.
Christian	Jno. C. Duffy.
Clark	J. D. Wills.
Clay, Jackson and Owsley	D. G. Wood.
Clinton and Wayne	Lyman J. Parrigin.
Crittenden and Livingston	Edward D. Stone.
Daviess, 1st District	Griffin Kelly.
Daviess, 2nd District	Elmer L. Brown.
Estill and Powell	C. M. Gum.
Fayette, 1st District	Matt Savage Walton.
Fayette, 2nd District	C. B. Nichols.
Fleming	J. D. Pumphrey.

Floyd, Knott and Letcher	E. V. Hall.
Franklin	Elwood Hamilton.
Fulton and Hickman	W. L. Hampton.
Garrard	J. R. Mount.
Grant	C. W. Burton.
Graves	James T. Webb.
Grayson	Yaman Watkins.
Green and Taylor	G. P. Durett.
Greenup	James A. Scott.
Hancock	S. B. Lott.
Hardin	W. A. Shawler.
Harrison	H. C. Duffy.
Hart	Henry Avery.
Henderson	Odie Duncan.
Henry	Richard Radcliffe.
Hopkins	Roy S. Wilson.
Jefferson, 44th District	John Drescher.
Jefferson, 45th District	Geo. D. Barrett.
Jefferson, 46th District	Adam Spahn.
Jefferson, 47th District	Wm. J. Kuh.
Jefferson, 48th District	S. Mazyck O'Brien.
Jefferson, 49th District	Wm. A. Perry.
Jefferson, 50th District	W. T. McNally.
Jefferson, 51st District	Wm. Duffy.
Jessamine	J. R. Dorman.
Johnson and Martin	W. M. Webb.
Kenton, 81st District	W. A. Price.
Kenton, 80th District	John H. Klette.
Kenton, 82nd District	Harvey J. Meyers.
Larue	T. J. Poteet.
Laurel and Rockcastle	C. R. Luker.
Lewis	M. O. Wilson.
Lincoln	Shelton M. Saufley.
Logan	J. Guthrie Coke.
Lyon and Marshall	Jas. M. Johnson.

Madison	John F. White.
Marion	S. H. Rogers.
Mason	Stanley F. Reed.
McCracken	John G. Miller, Jr.
McLean	G. H. Cary.
Meade	H. H. Harrington.
Mercer	L. M. Smith.
Metcalfe and Monroe	H. H. Hayes.
Menifee and Montgomery	Samuel Turley.
Morgan and Wolfe	Ed. F. Cecil.
Muhlenburg	Ed. Frost.
Nelson	John E. Newman.
Nicholas and Robertson	George M. McDowell.
Ohio	N. B. White.
Oldham and Trimble	Claude B. Terrell.
Owen	John W. Douglas.
Pendleton	Jno. F. Fryer.
Pike	J M. Billiter.
Pulaski and McCreary	Walter N. Flippin.
Scott	Zach L. Myers.
Shelby	W. R. Ray.
Simpson	V. D. Hammond.
Todd	W. E. Rogers.
Trigg	D. H. Hillman.
Union	S. L. Henry.
Warren, 1st District	J. N. McCormick.
Warren, 2nd District	A. W. Palmer.
Washington	John A. Polin.
Webster	W. B. Harvey.
Whitley and Knox	J. C. Lay.
Woodford	George T. Davis.

Witness my hand and official seal, this the 2nd day of January, 1914.

C. F. CRECELIUS,
Secretary of State.

The roll of members was called and the following members answered to their names, viz.:

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R.B.HutchcraftJr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr.J.N.M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt.S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The oath of office was then administered to each and all of said members by the Hon. Robert L. Greene, Clerk of the Court of Appeals.

The said Chief Clerk then announced that the election of a Speaker of the House of Representatives was in order.

Mr. Hamilton named Hon. Claude B. Terrell, of the County of Trimble, as a suitable person to fill said office.

Mr. Phelps named Hon. A. J. Oliver, of the County of Allen, as a suitable person to fill said office.

The vote being taken between those named, resulted as follows:

Those who voted for C. B. Terrell were—

Peter Ampler
Henry Avery
James W. Barrall
Geo. B. Barrett
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
W. B. Harvey
H. H. Hays
Dr. S. L. Henry
D. H. Hillman
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
William A. Perry

John A. Polin	S. H. Rogers	Louis Tieman
Dr. T. J. Poteet	W. E. Rogers	Samuel Turley
W. A. Price	S. M. Saufley	Matt. S. Walton Jr.
J. D. Pumphrey	W. A. Shawler	James T. Webb
Richard Radcliffe	L. M. Smith	John F. White
Dr. W. R. Ray	Adam Spahn	J. D. Wills
Stanley F. Reed	W. T. Stott	Roy S. Wilson —78

Those who voted for A. J. Oliver were—

Wallace Bailey	Simon B. Lott	W. M. Webb
J. M. Billeter	C. R. Luker	N. B. White
W. N. Flippin	Lyman J. Parrigin	M. O. Wilson
C. M. Gum	Lilburn Phelps	Douglas G. Wood
J. B. Harvey	B. T. Rountree	Claude B. Terrell
W. E. Henninger	A. W. Sharp	
J. J. Huff	Ed. D. Stone	—21
J. C. Lay	Yamen Watkins	

Mr. Terrell having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Speaker of the House of Representatives.

The Clerk aforesaid appointed Messrs. Reed and McCormick a committee to inform the Speaker-elect of the action of the House and to escort him to the chair.

The Speaker returned his thanks to the House for the honor conferred, recommended and urged the proper observance of order and decorum and announced that he was now ready to take the oath of office, which said oath was administered to him by the Hon. Elwood Hamilton, a member of this House.

The Speaker then announced that the next order of business was the election of a Chief Clerk of this House.

Mr. Hamilton named James E. Stone, of Breckinridge County, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for the said James E. Stone, which was done as follows, viz.:

Those who voted for J. E. Stone were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R.B.Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr.J.N.M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn

Ed. D. Stone	James T. Webb	Roy S. Wilson
W. T. Stott	W. M. Webb	Douglas G. Wood
Louis Tieman	John F. White	Claude B. Terrell
Samuel Turley	N. B. White	
Matt. S. Walton Jr.	J. D. Wills	—99
Yamen Watkins	M. O. Wilson	

The Speaker then announced that the next order of business was the election of an Assistant Clerk of this House.

Mr. Hamilton named Wm. Oscar Wicker, of the County of Crittenden, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for the said Wm. Oscar Wicker, which was done as follows, viz.:

Those who voted for Mr. Wicker were—

Peter Ampler	H. C. Duffy	J. B. Harvey
Henry Avery	John C. Duffy	W. B. Harvey
Wallace Bailey	William Duffy	H. H. Hays
James W. Barrall	Odie Duncan	W. E. Henninger
Geo. B. Barrett	G. P. Durrett	Dr. S. L. Henry
J. M. Billeter	Thomas J. Evans	D. H. Hillman
H. C. Blades	M. J. Farris, Jr.	J. J. Huff
Joseph Boitnott	W. N. Flippin	R. B. Hutchcraft Jr.
Elmer L. Brown	Vert C. Fraser	J. M. Johnson
C. W. Burton	Ed Frost	T. R. Jones
Glover H. Cary	John F. Fryer	Griffin Kelly
Ed. F. Cecil	Frank C. Greene	John H. Kleete
J. G. Coke	C. M. Gum	William J. Kuh
Benjamin L. Cox	E. V. Hall	J. C. Lay
George T. Davis	Elwood Hamilton	Simon B. Lott
James R. Dorman	W. L. Hampton	C. R. Luker
John W. Douglas	V. D. Hammond	Dr. J. N. M'Cormack
John Drescher	H. H. Harrington	Geo. M. McDowell

John McDyer	Dr. T. J. Poteet	Louis Tieman
W. T. McNally	W. A. Price	Samuel Turley
John G. Miller, Jr.	J. D. Pumphrey	Matt. S. Walton Jr.
T. T. Mobley	Richard Radcliffe	Yamen Watkins
J. R. Mount	Dr. W. R. Ray	James T. Webb
Harry J. Myers	Stanley F. Reed	W. M. Webb
Zach. L. Myers	S. H. Rogers	John F. White
John E. Newman	W. E. Rogers	N. B. White
C. B. Nichols	B. T. Rountree	J. D. Wills
S. Mazyck O'Brien	S. M. Saufley	M. O. Wilson
A. J. Oliver	A. W. Sharp	Roy S. Wilson
A. W. Palmer	W. A. Shawler	Douglas G. Wood
Lyman J. Parrigin	L. M. Smith	Claude B. Terrell
Lilburn Phelps	Adam Spahn	
William A. Perry	Ed. D. Stone	—99
John A. Polin	W. T. Stott	

The Speaker then announced that the next order of business was the election of an Enrolling Clerk.

Mr. Hamilton named Miss Mary Robards, of the County of Mercer, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for Miss Robards, which was done as follows, viz.:

Those who voted for Miss Robards were—

Peter Ampler	Elmer L. Brown	John W. Douglas
Henry Avery	C. W. Burton	John Drescher
Wallace Bailey	Glover H. Cary	H. C. Duffy
James W. Barrall	Ed. F. Cecil	John C. Duffy
Geo. B. Barrett	J. G. Coke	William Duffy
J. M. Billeter	Benjamin L. Cox	Odie Duncan
H. C. Blades	George T. Davis	G. P. Durrett
Joseph Boitnott	James R. Dorman	Thomas J. Evans

M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. J. T. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The Speaker then announced that the next order of business was the election of a Sergeant-at-Arms.

Mr. Hamilton named Oscar Vest, of Carroll County, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for Mr. Vest, which was done as follows:

Those who voted for Mr. Vest were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The Speaker then announced that the next order of business was the election of a Doorkeeper.

Mr. Hamilton named Jeff J. Bowman, of the County of Boyle, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for Mr. Bowman, which was done as follows:

Those who voted for Mr. Bowman were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers

B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The Speaker then announced that the next order of business was the election of a Janitor.

Mr. Hamliton named Samuel Tilden Booth, of the County of Carroll, as a suitable person to fill said office.

Mr A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of the members of this House for Mr. Booth, which was done as follows:

Those who voted for Mr. Booth were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott

C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The Speaker then announced that the next order of business was the election of two Cloak Room Keepers.

Mr. Hamilton named Messrs. Thomas E. Foley, of Mason County, and Wallace Lawrence, of Franklin County, as suitable persons to fill said offices.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for Messrs. Foley and Lawrence, which was done as follows:

Those who voted for Messrs. Foley and Lawrence were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis

James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

The Speaker then announced that the next order of business was the election of four pages.

Mr. Hamilton named Messrs. Hubert E. Rogers, of Marion County, Emerson Beauchamp, of Logan County, William G. Kelly, of Daviess County, and Courtney Taylor, of Clark County, as suitable persons to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the unanimous vote of all the members of this House for those above named, which was done as follows:

Those who voted for the above named Pages were—

Peter Ampler
Henry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
H. C. Blades
Joseph Boitnott
Elmer L. Brown
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke
Benjamin L. Cox
George T. Davis
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
Matt. S. Walton Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Claude B. Terrell

—99

All the aforesaid officers elected by the House took the oath of office as required by the Constitution and laws of Kentucky, which was administered by the Speaker of the House.

Mr. Saufley offered the following resolution, namely:

Resolved, That the rules which controlled and governed the House of Representatives during the session of the General Assembly for the year 1912, shall be, and they are hereby declared to be the rules governing this House until the adoption of the report of the Committee on Rules.

Which was adopted.

A message was received from the Senate through a committee composed of Senators Frost, Zimmerman and Scott.

Announcing that the Senate was now organized and ready for the transaction of business.

Mr. Walton offered the following resolution, viz.:

Resolved, That a committee of three members of the House be appointed to notify the Senate that this House of Representatives is fully organized and ready to proceed with the business of this General Assembly, and that said committee act in conjunction with a similar committee from the Senate to inform the Governor that this General Assembly is fully organized and ready for business and ready to receive any communication he may desire to make.

Which was adopted.

Thereupon the Speaker appointed as said committee Messrs. Walton, Hamilton and Reed.

Said committee retired, and after a time, reported that they had performed that duty, and that the Governor had informed them that he would in due time transmit to this House a communication in writing.

Mr. McCormack offered the following resolution, viz.:

Resolved, That the Speaker be authorized and directed to appoint a committee to be composed of eleven members to be known as Committee on Rules, of which the Speaker shall be ex-officio member and Chairman, and further that the Speaker be and is hereby authorized to appoint the other standing committees of the House.

Which was adopted.

Mr. Coke offered the following resolution, viz.:

Resolved, by the General Assembly of the Commonwealth of Kentucky, That Geo. A. Lewis, Superintendent of Public Printing, be allowed an assistant during the present session of the General Assembly, at a salary of seventy-five dollars per month.

Ordered that said resolution lie upon the Clerk's desk.

Mr. William Duffy offered the following resolution, viz.:

Whereas, Professor Carl C. Plehn, Professor of Economics in the University of California, having been employed as an expert on revenue and taxation by the Tax Commission of the State of Kentucky,

And Whereas, there will be before this session of the General Assembly a bill recommended to said General Assembly by the Tax Commission for the Commonwealth of Kentucky.

And Whereas, said General Assembly desires to have the advice and suggestion of Prof. Plehn, expert of the Commission, touching the provision of said bill, and the difficulties of the revenue system of the State of Kentucky, Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That Prof. Carl C. Plehn, Professor of Economics in the University of California, be invited to address this General Assembly at twelve o'clock the 7th day of January, 1914, and that a committee of four, two from the House and two from the Senate, be selected by the Lieutenant Governor and Speaker of the House to extend to Prof. Plehn this invitation.

Mr. Hamilton moved that the rules be suspended and that said resolution be taken up for consideration.

Said motion was agreed to.

Said resolution was taken up for consideration and adopted.

Mr. Reed offered the following resolution, viz.:

Whereas, since the occupation of the new Capitol, it has become necessary to employ more persons in order that the House of Representatives and the Senate may be conductd in a proper manner and expeditiously, and whereas, said business could not and cannot be efficiently done by and with the assistance alone of the number of officers and employes provided in Section 249 of the Constitution and Section 1988 of the Kentucky Statutes, Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Speaker of the House of Representatives be and is hereby authorized and directed to employ four guards to assist the Doorkeeper at five dollars per day each, and one guard for the gallery at five dollars per day; one stenographer to the Chief Clerk at six dollars per day; three stenographers to the House at five dollars per day each, said three stenographers to perform all of the stenographic duties that may be required to members of the House or Committees of the House in preparing reports, or drafting substitute bills or amendments to bills; one bill clerk at four dollars per day; two mail clerks at four dollars per day each; five Messengers at two dollars and fifty cents per day; one Porter at two dollars per day; one Copyist at six dollars per day; two Messengers to wait upon Committees at two dollars and fifty cents per day each; said Messengers to be in attendance at the meetings of committees during the regular day sessions of the General Assembly, and also at all evening sessions of said committees; one Messenger for the Speaker at four dollars per day; two assistants to the Bill Clerk at four dollars per day each; one assistant to Enrolling Clerk at five dollars per day; all of said help to be under the control and direction of the Speaker, unless otherwise ordered by the House, and subject to removal at any time by the Speaker, with the advice and consent of the House. The employments above referred to shall take effect and be in force from and including the 6th day of January, 1914.

Section 2. The Chairman of the caucus of the Senate held on January 5, 1914, is hereby authorized, directed and empowered to appoint, and shall certify to the President of the Senate, two Assistant Doorkeepers at five dollars per day; a copyist to the Enrolling Clerk at six dollars per day; one Bill Clerk at four dollars per day; one Mail Clerk at five dollars per day; two Messengers at two dollars and fifty

cents per day each; one assistant Cloak Room Keeper at three dollars per day; one Reading Clerk at five dollars per day; two stenographers to the Senate at five dollars per day each.

Section 3. That the President of the Senate be authorized to appoint a stenographer to the President at five dollars per day, and stenographer to the Chief Clerk at five dollars per day, and a Messenger to the President at three dollars per day.

Section 4. The President of the Senate and Speaker of the House shall furnish to the Chief Clerks of their respective Houses, a list of all of said employees, showing their respective appointments, and said President of the Senate and Speaker of the House shall, every five days, furnish to the Clerk of their respective Houses the number of days worked by each and the amount due each of said employees, and upon certification, the Clerk of said House shall draw a voucher for each of said employees, upon the Auditor of Public Accounts, for the amount due each of said employees, and for which the Auditor shall draw his warrant upon the Treasurer, payable to each of said employees respectively, and be paid out of any money in the Treasury, payable to the General Expenditure Fund, not otherwise appropriated.

Section 5. It appearing that the employees referred to herein are necessary to carry on and conduct the business of the House and Senate, an emergency is hereby declared to exist and this resolution shall take effect upon its adoption.

Ordered that said resolution lie on the Clerk's desk.

A message was received from the Governor in writing as follows:

Message of Governor James B. McCreary to the General Assembly of Kentucky.

Gentlemen of the Senate and House of Representatives:

The present Constitution of Kentucky declares that the "Governor shall, from time to time, give to the General Assembly information of the state of the Commonwealth and recommend to their consideration such measures as he may deem expedient." In performing this duty as Governor, I, with much pleasure, extend to each of you a cordial greeting and hearty welcome to the State Capitol and to the Halls of Legislation.

In your deliberations over the matters which will have your consideration, I believe you will, with watchful care and wisdom, do that which, under all the circumstances, appears best for the people you represent.

We live in an era of industrial, political and moral progress, the most marked in the history of our country or in the history of the world. In shaping our State Government and in the administration of our institutions and public resources, we are entitled to the best principles and most efficient methods.

The General Assembly of Kentucky is confronted with problems of great importance and of vital interest, and Senators and Representatives have opportunities for achievements in legislation which, if performed promptly, will reflect honor and credit upon themselves and bring improvement and development to the State.

All gratuitous appropriations and enlarged expenditures should be set aside pending the enactment of those necessarily incident to the State Government. There should be distinctions between matters which are deserving and those less deserving. The affairs of the State should be administered with strict economy; and the first principle of good public finance is that no expenditures for any purpose, excepting in great

exigencies, should be permitted, unless such expenditures lie within the limits of the public revenue. All bills appropriating money should be referred to one committee in the Senate and to one committee in the House of Representatives.

The platform on which the Democratic party won a great victory at the State election in 1911 placed important responsibilities upon our party, and the duty of complying fully with the platform pledges rests upon every Democrat on the State ticket, upon every Democrat of the Assembly, and upon every Democrat in the State; all the people are interested in a faithful, prompt compliance with the platform pledges, and the members of the Assembly should feel empowered and compelled to carry out these pledges.

Eight important bills required by our platform were enacted into law by the last General Assembly in 1912, and there are three others which I will present and discuss in this message at the proper time.

FINANCIAL CONDITION OF THE STATE.

I have received from the Auditor of Public Accounts the following statement of the financial condition of the State:

General Statement of Receipts and Expenditures.

Total receipts for fiscal year ending June 30, 1912	$7,280,485.66
Total expenditures for fiscal year ending June 30, 1912	7,721,172.74
Deficit for year ending June 30, 1912	$440,687.08
Total receipts for year ending June 30, 1913	$7,666,780.45
Total expenditures for year ending June 30, 1913	7,769,131.96
Deficit for year ending June 30, 1913	$102,351.51

Add deficit for year ending June 30, 1912	440,687.08
Total deficit for two years	$543,038.59

If the railroad franchise taxes had been paid in, that properly belonged to the year 1912, the deficit would have been reduced for that year.

The following statement shows the receipts that went into the General Expenditure Fund and expenditures for years from 1910 to 1913, inclusive:

Receipts for the year ending June 30, 1910	$3,726,771.06
Expenditures for the same period	4,304,309.17
Excess of expenditures for the year 1910	577,538.11
Add deficit June 30, 1909	739,726.03
Deficit June 30, 1910	$1,317,264.14
Receipts for year ending June 30, 1911	$4,048,958.55
Expenditures for the same period	4,258,427.92
Excess of expenditures for the year	209,469.37
Add deficit June 30, 1910	1,317,264.14
State debt June 30, 1911	$1,526,733.51
Receipts for year ending June 30, 1912	$4,120,567.90
Expenditures for the same period	4,465,453.68
Excess of expenditures for the year	344,885.78
Less transfer from Sinking Fund to General Expenditure Fund	203,326.40
Leaves excess of expenditures for this year	141,559.38
Add deficit June 30, 1911	1,526,733.51
State debt June 30, 1912	$1,668,292.89
Receipts for the year ending June 30, 1913	$4,368,179.17

Expenditures for the same period	4,579,829.56
Excess of expenditures for the year	211,650.39
Less transfer from Sinking Fund to General Expenditure Fund	80,000.00
Leaves excess of expenditures for this year	131,650.39
Add deficit of June 30, 1912	1,668,292.89
State debt June 30, 1913	$1,799,943.28

Receipts from July 1st to November 30, 1913:

	General Expenditure Fund	School Fund	Sinking Fund
July	$359,647.26	$8,754.27	
August	261,531.13	4,252.42	
September	257,703.21	379.94	
October	537,060.57	238.44	
November	1,117,033.63	415.18	
	$2,532,975.80	$14,040.25	

Total receipts into General Fund (not distributed)	$2,532,975.80
Received since November 30, from sheriffs' revenue	2,380,915.92
	$4,913,891.72

Expenditures for same period as above:

	General Expenditure Fund	School Fund	Sinking Fund
July	$336,395.93	$4,087.00	$4,950.00
August	354,500.42	7,464.60	
September	291,613.97	2,825.54	
October	358,749.44	493,893.56	
November	560,040.41	495,783.70	
	$1,901,300.17	$1,004,054.40	

Total expenses for five months, General Expenditure Fund	$1,901,300.17
Total Expenses for five months, School Fund	1,004,054.40
Total expenses for five months, Sinking Fund	4,950.00
	$2,910,304.57

From the receipts paid into the Treasury since November 30, 1913, added to the balance shown to be on hand on that date, the Treasurer, Mr. Rhea, issued his call for the payment of outstanding warrants amounting to $1,442,000.00.

Leaving debt of State on December 31, 1913	$106,795.85
Cash balance in Treasury December 31, 1913	1,542,677.97
Outstanding warrants December 31, 1913	1,649,473.82

It appears from the statement of the Auditor of Public Accounts that the State was in debt, June 30, 1911, (five months before I was inaugurated as Governor), $1,526,733.51, that the indebtedness of the State, June 30, 1913, was $1,799,-943.28, and on the thirtieth of November, 1913, there was $839,544.20 in the treasury. The increase in the debt of the State, therefore, has been made, principally, by five per cent interest on the amount of the State debt, June 30, 1911, and the deficit, December 31, 1913, according to the statement of the Auditor, was $106,795.85.

Opponents of the Democratic party have endeavored to magnify the debt of the State of Kentucky, which was nearly all accumulated during Republican administrations, but when the financial condition of Kentucky is compared with that of other States, it will be seen that we are in splendid condition.

Of the forty-eight States in the United States all have bonded indebtedness except twelve, and Kentucky is in the list of States which has no bonded indebtedness. Kentucky's financial condition is much better than most of the Southern States.

The bonded indebtedness of Maryland is.....$16,225,000.00
The bonded indebtedness of Georgia is..... 6,730,000.00
The bonded indebtedness of Alabama is..... 9,057,000.00
The bonded indebtedness of Mississippi is..... 3,589,000.00
The bonded indebtedness of North Carolina is... 7,539,000.00
The bonded indebtedness of South Carolina is... 6,528,000.00
The bonded indebtedness of Tennessee is..... 11,400,000.00
The bonded indebtedness of Virginia is..... 24,980,000.00

The indebtedness of many Northern States is large.

The bonded indebtedness of New York is.....$70,730,000.00
The bonded indebtedness of Massachusetts is..... 58,000,000.00
The bonded indebtedness of Connecticut is..... 8,304,000.00
The bonded indebtedness of Pennsylvania is..... 4,000,000.00

It should be remembered, also, that the bonded indebtedness of the city of Louisville is $11,530,200.00, and many cities of the United States have large bonded debts. I am, however, very earnestly in favor of wiping out the indebtedness of Kentucky, and I believe it can be done in less than three years with proper economy and with the enactment of proper legislation on the subject of revenue and taxation. And we must not overlook the fact that, while the rate of taxation in Kentucky is fifty cents on the hundred dollars, only twenty-one and one-half cents of this tax is set apart for the General Expenditure Fund, out of which the current expenses of the State, including all specific and annual appropriations are paid. The School Fund takes twenty-six cents on the hundred dollars of valuation each year, the Sinking Fund two cents, and the State University a half cent.

State Tax Commission.

Much has been said about increasing the rate of taxation or issuing State bonds. I wish to state, positively, that I am opposed to increasing the tax rate or issuing State bonds.

The General Assembly, at the last session, by resolution,

approved March 15, 1912, authorized the appointment of a Tax Commission to investigate revenue and taxation in the State and recommend a plan for the revision thereof.

This Tax Commission consisted of Hon. W. O. Davis, of Versailles, Chairman; Senator W. A. Frost, of Wingo; Senator W. B. Moody, of New Castle; Representative Elwood Hamilton, of Frankfort, and Representative L. C. Owings, of Jeffersontown. The Commission was authorized to employ a taxation expert, and they selected Carl C. Plehn, of California. The members of the Commission have worked for a number of months, faithfully and efficiently, together with Mr. Plehn, and the bill drafted by them and their report will be laid before the General Assembly very soon.

A large number of States in the United States, among them New York, Michigan, Wisconsin, New Jersey, Texas, Minnesota, Kansas, Alabama, Arkansas, Illinois, and Ohio, have provided for tax commissions similar in their organization and power to that proposed in the bill which will be reported by the Commission, and in all the States named the tax commissions have been very effective and have brought about great improvement in the administration of the tax laws, and added largely to the revenue of the respective States.

I am in favor of, and heartily commend to the General Assembly, the creation of a State Tax Commission, to consist of three men well informed on revenue and taxation, who shall have general supervision of the entire system of taxation, both State and local, including the license taxes and the inheritance taxes.

No member of this State Tax Commission should be permitted to engage in any other occupation or business while a member of the Commission, and all should reside at Frankfort after appointment. Among the important duties which they shall perform are:

To value and assess the capital stock of corporations or-

ganized under the laws of Kentucky or doing business in this State.

To co-operate with assessors and direct the re-assessment of property in any taxing district where it appears, after an investigation, that the original assessment was not substantially just and equitable.

To investigate, at any time, on its own initiative, the efficiency of the administration of the taxation and revenue laws, and, for this purpose, to have power to summon and examine witnesses on oath.

To supervise all the local assessors and confer with, instruct and advise them as to their duties, and visit each county as often as necessary and practicable.

To require individuals and corporations to furnish information as to capital stock, assets and liabilities.

To direct proceedings and prosecutions against public officials and officers or agents of corporations and others for neglect or failure to comply with the tax laws or orders of the Commission.

The Kentucky Statutes provide that the Auditor, Treasurer and Secretary of State shall constitute a board of valuation and assessment. The Auditor, Henry M. Bosworth, the Treasurer, Thomas S. Rhea, and the Secretary of State, C. F. Crecelius, in 1912, did faithful and efficient work for months, fixing the value of the franchise of various corporations, etc., and they have for several months during the past year been engaged in the same work. I believe their information and experience will be of considerable value to the Tax Commission, and that they are entitled to serve with the Commission. Therefore, I recommend that, in addition to the three tax commissioners heretofore specified, the Auditor, Treasurer and Secretary of State shall also be members of the State Tax Commission until January 1st, 1916, with the same power and authority as is given to the other three tax commissioners, except that they shall draw no salary as tax commissioners.

Valuation and Assessment of Railroads.

The people of Kentucky have, for many years, believed that the property of many of the large corporations in this State have not been assessed as high as it should be assessed; and, therefore, those corporations were not paying their just proportion of taxes. I have heretofore advocated a thorough inquiry as to the real value of corporate property in this State, and I also insisted, when the value of this character of property was ascertained, it should be fairly and justly assessed for taxation.

The Board of Valuation and Assessment, consisting of Henry M. Bosworth, Thomas S. Rhea and C. F. Crecelius, required by law to assess the franchises of corporations, in the performance of their duty, instituted a thorough examination of the reports made by corporations for assessment purposes, and, as a result, they have largely increased the assessment of the franchises of a number of corporations in the State. The total increase in the assessed value of the franchises of the corporations in the State for the year 1912, over the assessment for the year 1911, amounted to about ninety millions of dollars. And I have been informed that this investigation by the board as to the value of the corporate property in this State disclosed the fact that most of the small corporations have been assessed at their fair cash value, and that the larger and more powerful corporations had not, as a rule, been assessed high enough, but, on the contrary, had for many years been the beneficiaries of low assessments.

All of the corporations assessed by the board, except eight, recognized the fairness of the assessments made and paid the tax levied thereon.

The Louisville & Nashville Railroad Company, the Chesapeake & Ohio Railroad Company, the Cincinnati, New Orleans & Texas Pacific Railway Company, the Southern and Adams Express Companies filed suit in the Federal court to enjoin the officers of the State from collecting the tax due on

the increase in their assessments, and at the time of filing their suits, all of them, except the Illinois Central Railroad Company, paid to the State, county and taxing districts therein the amount of tax they had paid the previous year, claiming their previous assessments were high enough.

The South Covington and Cincinnati Street Railway Company, of Covington, and the Union Heat, Light and Power Company filed suits in the State court and paid to the State and county in which they operated the same amount of tax they had paid the year previous. Later the Light Company dismissed its suit and paid the tax due on the assessment made for 1912. The State has, therefore, collected from these corporations, for 1912, as great a sum in taxes as it received from them in the previous year, and the pending litigation involves only the amount due on the actual increase in their assessments.

I am in favor of a plan of assessment and taxation that will require the corporations in this State to pay their just and fair proportion of taxes. When the suits to which I have referred were filed, I advised that a vigorous defense be interposed to them, that the rights of the State should be maintained and the correctness or adjustment of the assessments be speedily determined; and, at the request of the Attorney General, I employed an attorney to assist him in the defense of these actions. The cases were promptly prepared and argued as early as possible.

In September last the United States District Court rendered an opinion on a motion for a temporary injunction. In this opinion the court sustained the position taken by the State on the important questions arising in the cases, and I believe the final result of this litigation will be favorable to the State.

In the case of the Louisville & Nashville Railroad Company the court required the complainant to pay taxes to the State and cities therein on a franchise valuation of, approxi-

mately, twenty-three millions of dollars, as a condition precedent to granting a temporary injunction against the remainder of the tax under the assessment complained of. This company had previously paid taxes on a franchise valuation of about eleven millions of dollars. Under this decision it was required to pay to the State fifty-five thousand dollars more taxes in the year 1912 than it paid to the State in the year 1911, and to the various counties, cities and towns through which it operates its lines of railway, for the year 1912, approximately, ninety-two thousand dollars more taxes than it paid to these same counties, cities and towns for the year 1911.

The Illinois Central Railroad Company was required to pay to the State, counties and cities therein on a franchise valuation of, approximately, six millions, five hundred thousand dollars, which yielded to the State, in taxes, thirty-two thousand, five hundred dollars, and to the counties, cities and towns through which said company operates its lines, approximately, sixty-five thousand dollars. This company claimed that its franchises in this State, subject to taxation, had no value, and, therefore, it did not owe a franchise tax to the State, counties or cities therein.

On the twentieth of December, 1913, Judge Cochran entered an order in the case of the Chesapeake & Ohio Railroad Company, requiring that company to pay to the State, counties and cities therein, for the year 1912, taxes on a franchise valuation of five million dollars in excess of the franchise valuation of that company in the year 1911. The taxes on this increased assessment increased the revenue of the State twenty-five thousand dollars per annum, and the revenue of the counties and cities therein fifty thousand dollars per annum.

In the case of the Cincinnati, New Orleans & Texas Pacific Railway Company, an order was entered requiring the complainant to pay to the State, counties and cities therein taxes on a franchise valuation of two million dollars in ex-

cess of the franchise valuation of that company for the year 1911. The taxes on this increased assessment of this company will increase the revenues of the State ten thousand dollars.

This tax was levied for the year ending June 30, 1913, and would have been collected during that year but for the injunction suits pending, and, therefore, should be applied to the year ending June 30, 1913. When this sum is added to fifty-five thousand dollars collected from the Louisville & Nashville Railroad Company, thirty-two thousand, five-hundred dollars collected from the Illinois Central Railroad Company, and three thousand, two hundred dollars collected from the Union Heat, Light and Power Company, it will make a total sum of one hundred and twenty-five thousand dollars which should be credited to the income of the fiscal year ending June 30, 1913; and when so done, will leave a surplus for the year ending June 30, 1913, of about twenty-four thousand dollars.

Amendments to the Constitution of Kentucky.

The General Assembly of Kentucky, at its last session, passed "An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges," and directing that this amendment should be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided in section 256 of the Constitution of Kentucky, and under the provisions of the Act of May 12, 1897, being section 1459 of the Kentucky Statutes, and it was submitted.

The General Assembly also passed "An Act to amend section 171 of the Constitution of the Commonwealth of Kentucky, broadening the powers of the General Assembly so that it may classify property for purposes of taxation, etc. This proposed amendment was directed to be submitted to the voters of the State for their ratification or rejection, accord-

ing to the requirements of the Constitution and the statutes of the State of Kentucky, and it was submitted.

Suit was filed in the Franklin Circuit Court to test the validity of the election adopting these constitutional amendments, and an injunction was asked, restraining the Governor from issuing a proclamation declaring that they had been adopted. The suit which was filed questioned the validity of the adoption of the constitutional amendments because the Secretary of State had not caused notice of the proposed amendments and the time they were to be voted upon to be published until sixty days prior to the election, when the Constitution required this publication ninety days before the vote was to be taken thereon.

It was agreed in the suit that the General Assembly had properly submitted the amendments, and that by a vote of the people of Kentucky, at the November election, 1913, the amendments carried—sixty-five thousand, nine hundred and seventy-eight in favor of thirty-two thousand, four hundred and seventy-eight opposed, with four counties missing—but it was alleged that the Secretary of State had advertised the election, in the required number of newspapers, only sixty days in advance of the election, instead of ninety days, as required by the Constitution.

The Judge of the Franklin Circuit Court, at a special term, declared invalid the constitutional amendments, and the judgment of that court enjoined the Governor from issuing a proclamation declaring the adoption of the amendments.

The Commonwealth took an appeal to the Court of Appeals, and a decision is expected from that court early in January.

Education.

The Superintendent of Public Instruction, Hon. Barksdale Hamlett, has transmitted to me his report for the year 1913, from which I have made important extracts.

There is no subject of more importance than education. The founders of our Government recognized this fact, knowing fully the perpetuity of our democratic institutions depended upon the intelligence and virtue of the masses.

Kentucky has made wonderful progress in the past few years, because our people have at last come to recognize that public education is an economic question and not a charity. This truth has at last taken hold upon the people of Kentucky, that whatever we would have appear in the future in the life of the Commonwealth, we must put into the lives of the children. This can only be done through a well-organized, democratized system of public schools.

The General Assemblies of 1906, 1908 and 1910 did much in laying the foundation for the improvement of educational conditions in the State, and the 1912 Legislature, seeing and appreciating the effort to render the most valuable service possible to the State, enacted such legislation as has, under a wise and strong administration, resulted in the greatest progress and development of the schools (especially the rural schools) that has happened in the history of our State.

1.	Number of school houses built during school year of 1912-1913	525
2.	Number of school houses repaired during school year 1912-1913	1888
3.	Cost of building and repairs, Rural	$420,999.00
4.	Cost of building and repairs, City	196,184.40
		$617,183.40
5.	Number of pupils enrolled in High Schools, 1912-1913	10,418
6.	Cost of operating County High Schools	$208,163.00
7.	City school census of 1913	136,918
8.	Rural School census of 1913	584,718

9. City school enrollment, 1912-13 (52 per cent)	74,129	
10. Rural school enrollment, 1912-13 (76 per cent)	458,067	
11. Average daily attendance, City, 1912-13 (40 per cent)	56,456	
12. Average daily attendance, Rural, 1912-13 (48 per cent)	283,862	
13. Receipts, City, 1912-13		$2,633,293.74
14. Receipts, Rural, 1912-13		4,337,284.57
		$6,970,578.31
15. Disbursements, City, 1912-13	$2,248,964.20	
16. Disbursements, Rural, 1912-13	4,390,507.60	
		$6,639,471.80

School Inspection.

A law was passed by the General Assembly of 1912 making the State Superintendent Special Inspector and giving to him two Assistant Inspectors. With this force, which proved to be very inadequate, to the enormity of the work, they have accomplished a great deal in the correction of frauds, the correction of school censuses, the assessment and collection of taxes from corporations and property-holders which had previously paid little or no school tax, and the correction of many evils which existed in the general administration and management of the school affairs of the State.

By reason of this inspection and the aid rendered by the Inspectors in taking the 1913 census, this census shows 13,000 fewer pupil children in the State than was reported in the 1912 census. This shows, allowing for the natural percentage of increase in school population, which would have been at least four thousand, a difference of 17,000 pupil children, amounting to over $68,000 saved to the school fund.

Rural School Supervision.

Practical students of the educational conditions of the State have for a number of years recognized that one of the greatest drawbacks to the rural schools was the lack of proper supervision and that the city schools, by reason of the packed population and their environment, were getting better results for the money expended than the rural schools. Under the Act of 1912, giving the counties the right to employ supervisors or assistants to the county superintendents in supervising their schools, more than seventy of the counties in the State have taken advantage of this privilege, and the figures of 1912-13 show an enrollment for the cities of fifty-two per cent of the census, and the rural schools of seventy-six per cent of the census; a daily average attendance for the cities of forty per cent and for the rural schools, forty-eight per cent. This supervision has not only increased interest and attendance in the rural schools, but has done much to create a local pride and spirit that has added much to the material support of the schools.

The County Superintendent.

Under the enlightened interest and multiform duties of the County Superintendent, touching every phase of the community life of his administration, the office of County Superintendent has come to be regarded as one of the most important in the county, and requires a well-equipped man or woman, with technical scholarship and broad vision and experience. The General Assembly of 1912 passed laws which increased the salaries and raised the qualifications for eligibility to this office, and brought to it a more efficient class of superintendents.

The Compulsory Attendance Act.

One of the most serious criticisms alleged against the administration of the public schools was that only thirty-seven

and one-half per cent of the school population were really being reached by the schools. In other words, for every dollar the State was expending it was only giving back to the children thirty-seven and one-half cents in teaching. This the General Assembly of 1912 attempted to remedy by the Compulsory Attendance Law, which, while not perfect, has resulted, together with supervision, salary schedule law and inspection, in increasing the attendance more than twenty-five per cent for 1913 over any preceding year in the history of the schools. Reports from many of the counties in the State show that this law has brought splendid results and has done much toward remedying this most severe criticism.

Some of the States, especially the progressive ones, have a longer rural school term than Kentucky. Nearly all of the cities and towns in the State have from eight to ten months of school during the year, while the rural schools are limited to six months. This condition of affairs is unjust to the farmer's child and should be remedied by the extension of the term to seven or eight months. It is the consessus of opinion of all educators, as well as the experience, that the vital point in raising the educational standard and the equipment of the people for intelligent and useful citizenship, is its rural schools.

Again, county high schools are being provided for county children and six months a year is not sufficient time to give these children an opportunity to prepare themselves within a reasonable number of years for taking advantage of this high school course. I am sure that the extension of the school term would be a long step toward bringing our school system to that state of efficiency that would make it equal to the demands of a more enlightened and intelligent public opinion.

Agriculture For Rural Schools.

Careful investigation and a close study of the economic conditions of the State have convinced our people that the common school curriculum should be extended so as to em-

brace within its legal requirements the teachings of elementary agriculture. This would bring the schools more in touch with the rural life of the Commonwealth and result in increasing the efficiency of the agricultural population and keep in school for a longer term our country boys and girls.

Text Books.

For the past ten years all common school books in the State have been furnished the children of the State under a uniformity contract price which provided for a very low maximum price of all text books used, as well as provided for a liberal exchange basis. The maximum price under this contract system has been so low as to make it necessary to use a cheap and inferior grade of books; and yet, in spite of this, there has been very little complaint, evidencing the fact that the people of Kentucky are in favor of state uniformity adoption of text-books, which undoubtedly saves to the people vast sums of money. The Legislature of 1910 repealed this law and enacted a law which becomes operative June 1, 1914. This Act of 1910 does away entirely with state uniformity and provides for independent adoption by counties, cities and independent graded school districts, regarded as units. While this law would undoubtedly give to the people in these respective areas an opportunity to purchase, at a higher cost, a better grade of text-books, it will increase the total cost of text-books many thousands of dollars. There should be such an adjustment of the purchase of text-books by the people through the plan of state uniformity as to give to the people not only good text-books, but save this enormous extra cost, which will necessarily be placed upon them by independent adoption. This should be done, either by the passage of a state uniformity act of some kind, or by such amendment to the Act of 1910 as will give the people proper relief.

State University of Kentucky.

I have great faith in the State University of Kentucky. It is a State institution, belongs to the people of the State, and is intended to afford to all of those approaching adult age an opportunity to receive the benefits of higher education.

The State University of Kentucky began its present annual session under auspicious circumstances. There was a substantial increase in the number of students over that of the session before, in spite of the fact that the severe drought had caused a great loss in the crops of the State, thereby depriving the farmers of a large part of their annual income.

While all the colleges have prospered, the progress and public service of the agricultural department, which includes the experiment station, have been conspicuous. It is not necessary to enter into minute particulars of all the workings of the agricultural department, but it is sufficient to say that its activities cover almost every agricultural interest of the Commonwealth. It is busily engaged in the enforcement of the pure food laws and the proper sanitation of all public places used for the preparation and distribution of the people's food, thereby protecting the public health. It is engaged nearly all the year in distributing to the farmer information discovered by learned scientists in the laboratory which relate to the advancement and perfection of agriculture. Hog cholera serum plants have been erected at the experiment station, and the owners of swine may now obtain, at actual cost, the serum which they need; and there is kept on hand a sufficient supply to meet the necessities of any epidemic of this dreadful disease which is likely to break out among swine.

There has been established on the grounds owned by the University a complete poultry farm, where it is proposed not only to investigate and find a cure for all the ordinarily fatal diseases of fowls, but also to benefit the poultry interests of the State in every possible manner.

The extension department of the college is endeavoring to carry to the homes of the farmers all that science knows of agriculture, and it is maintaining and operating several experiment farms in various sections of the State for the purpose of demonstrating to the citizens how best to cultivate and fertilize their lands.

In addition to what the University did on its own initiative, the United States is now co-operating with the agricultural forces of the State and carrying forward the extension work for the benefit of agriculture.

The farm demonstration work, as organized in the State University, contemplates the unification and co-ordination of the forces, instructing the farmer in agriculture on his own farm. To do this the United States Department of Agriculture, the State Department of Agriculture, the State University, and the normal schools are co-operating in a movement to put an agricultural expert in each county. At present the United States Government is spending twenty thousand dollars per annum in demonstration work through this organization, and the counties are paying about thirteen thousand dollars per annum for this work.

The boys' and girls' clubs have done remarkable work this year, notwithstanding the drought and the hard condition in agriculture. About 15,000 boys enrolled this year in the corn clubs, and there were about 5,000 in 1912; and the girls' tomato clubs showed a large increase in membership.

The problem of giving the farmer a knowledge of the possibilities that lie in his avocation and educating him to the right use of the money derived therefrom, thereby securing for him a reasonable income for his labor, to the end that necessary comforts and luxuries may be placed within his reach, is the best way to encourage farmers and to improve our country.

Eastern Kentucky State Normal School.

The Eastern Kentucky State Normal School is located at Richmond, Kentucky. The law establishing normal schools in this State declared that the object is to give to the teachers of the Commonwealth such training in the common school branches, in the science and art of teaching and such other branches as may be deemed necessary, as will enable them to make the schools throughout the State efficient. I have visited the Eastern Kentucky State Normal School several times in the last two years, and I know that the school has grown and prospered from year to year under the present Board of Regents until the President reports that the plant is worth $400,000.00. The number of students has increased to 1,200. More than 7,000 enrollments are recorded in the register and over 3,000 teachers have attended at various times, and practically every former student is now teaching school in Kentucky, seventy-five per cent of these teaching in rural communities. The course of study not only includes the usual academic and professional subjects, but well-developed departments of agriculture, home economics and manual training.

A farm of 112 acres has been purchased, and it is proposed to make it a model farm and a real demonstration farm for both students, teachers and the public.

The work in domestic science and manual training has gone forward successfully, and both homes and schools in the eastern district have been benefitted. This school has encouraged and inspired thousands of boys and girls of the sixty-nine counties of this district to become worthy men and women.

Additional dormitory accommodations have been provided, by building a substantial annex to Sullivan Hall, the girls' dormitory, at a cost of $30,000.00; yet the attendance is so large that, in January and June terms, hundreds of

young men and women are compelled to board in private families in the city of Richmond, some distance from the campus.

The finances of this great institution have been carefully administered. For the past two years the annual maintenance has been seventy-five thousand dollars. The President shows in his report that the school finances were exhibited to the Legislature of 1912, showing a net debt of $33,468.88, and since that time, in less than two years, the Board of Regents have so effectively administered and developed the school as to reduce its debt $12,534.10.

Western Kentucky State Normal School.

The report received by me from the President of the Western Kentucky State Normal School is very interesting, and the success of that school is almost unprecedented. I make extracts from the report in question.

The Western Kentucky State Normal School has enrolled on the basis of an annual enrollment during the seven years it has been in actual operation 9,612 student-teachers. This does not include the Model School. Ninety per cent of this number are Kentucky young men and women who were engaged in the teaching service. The student-teachers who have attended the institution since it was started as a State School have taught, are now teaching, or will teach not less than 375,000 of the Kentucky school children; and at least seventy-nine per cent of this number live in the rural sections of the State.

The attendance for the past biennial period is as follows:

Number of student-teachers enrolled from September, 1911, to September, 1912	1,552
Number of student-teachers enrolled from September, 1912, to September, 1913	1,665
Number of pupils enrolled in Model School from September, 1911, to September, 1912	497

Number of pupils enrolled in Model School from September, 1912, to September, 1913..... 550

Total number for the two years..... 4,264

Of the 3,217 student-teachers entering during the two years, 2,402 were different individuals. Only 38 students enrolled from other States during the entire biennial period, and all of these paid regular tuition.

Nearly all of this great student-body have come from and will return to rural communities and there make teachers, who not only understand rural life, but who are in sympathy with rural life and are integral parts of it. Reports from every section of the State tell of the unmeasured enthusiasm of the work that is being done by the teachers who have attended the normal school, and it is freely admitted that the standard of efficiency in those schools taught by teachers who have been trained in the normal schools is much higher than those taught by teachers who have not attended.

The Western Kentucky State Normal School will, in the near future, operate the following departments, all of which are in line with the educational development of the Commonwealth:

Department of Rural Economics and Sociology.
Department of Manual Training.
Department of Physical Education.
The establishment and opening of a Model Rural School.

Such improvements on the farm are needed to make it a potent factor in training rural teachers, that they may be more efficient in the counties in which they teach.

The Kentucky Normal and Industrial Institute for Colored Persons.

This institution was established by an Act of the General Assembly, approved May 18, 1886, and it appears from

the recent report of the President of the Institution, G. P. Russell, and from the report of the State Inspector and Examiner, that the school is doing a creditable and an important work. The present President assumed his duties September 30, 1912. Since that time the enrollment and attendance have increased forty-eight per cent, and the general conduct and deportment of the students have been satisfactory. The institution is controlled by a Board of Trustees, appointed by the Governor, and the State Superintendent of Public Instruction, who is chairman of the Board. Many of the teachers are graduates or former students in the institution.

The students do all the work in the construction of good, substantial walks and driveways through the campus of the institution, and they have built a concrete silo 14x32 feet, and filled it with succulent ensilage grown on the school farm. This farm, containing 265 acres, is cultivated by the students and good crops are usually made.

I have given as close attention to this institution as my engagements would permit, and I may add there is perfect harmony and a spirit of satisfaction and co-operation in the faculty and among the students, and the institution is more progressive and successful than it has ever been in the past.

Illiteracy Commission.

There has been a constant cry about illiteracy in Kentucky.

Illiteracy in our State was reduced 54,000 in the last decade. At this rate, however, many years will be required to free our State from illiteracy, and, therefore, unusual efforts should be made to improve educational conditions in Kentucky.

There should be an illiteracy commission formed by legislative act for the purpose of studying and benefiting the condition of adult illiterates. No appropriation of money is needed. The members of the commission should be as patri-

otic as certain teachers who have been aiding adult illiterates, and should serve without remuneration.

The United States Commissioner of Education has a bill in Congress seeking authority for his department to investigate the great problem of adult illiteracy and to co-operate with school authorities who are endeavoring to reduce it.

Kentucky has made conspicuous advancement in education during the last ten years, and she should be a leader in education of persons over twenty-one years of age, as well as persons under that age.

I know of one county in Kentucky where 1,100 adult men and women were taught to read and write in the last three years and this good movement has extended into several other counties.

That which was done in one county in Kentucky to remove illiteracy in three years can be done in the whole State by the time the next census is taken.

The forming of an illiteracy commission is prompted by the noblest purpose and seeks to benefit men and women on the highest and best lines. Many teachers have already volunteered their services, and others will do so.

Tennessee has just started a State-wide illiteracy campaign, and Virginia, Alabama and South Carolina have made arrangements to commence illiteracy campaigns in 1914.

Kentucky should move forward with her sister States.

Agriculture.

I cannot call your attention to anything that is more important or more interesting than agriculture. Agriculture is the mainspring which keeps the business world in motion. More than one-half the people of our State live on farms, and more than one-half the State taxes are paid by farmers. More than two-thirds of the exports from our country go to foreign ports from the farms.

We can do nothing that will add more to the prosperity of the State or more fully justify the confidence of the people than by earnestly endeavoring to promote the interest of our agricultural classes and to encourage better methods of farming. Our farming interests should be encouraged by regulating our labor system, establishing fair rates for the transportation of our stock and farm products to market, by resisting monopolies and opposing ruinous taxes or exorbitant rates of interest, and by encouraging farmers to come together for counsel and for comparison of opinions. You will confer inestimable blessings upon the Commonwealth and the people by stimulating the growth and expansion of our agricultural interests in every proper way.

Farmers' Institutes.

Splendid results have been accomplished through holding of farmers' institutes. The scope of farmers' institutes should be so extended as to bring a short, but useful, course in agricultural and horticultural education to the doors of our farmers and fruit-growers. Written courses of study should be arranged and circulated among the farmers before the institute is held, and every means should be employed to make farmers' institutes attractive and beneficial.

State Fair.

The State Fair is an agency of great value in giving publicity to improved methods of agriculture, stock-raising and dairy industry. The Kentucky State Fair has been greatly improved in the last few years, and is now one of the best in this part of our country. Its growing tendencies and the increased value of its exhibits, indicate the esteem in which it is held by those engaged in the various branches of agricultural industry, and by our citizens generally. All proper encouragement should be given to the State Fair.

Labor.

Labor is the foundation of man's success in every sphere of life. "The laborer is worthy of his hire" was spoken nearly two thousand years ago, and it is as true and applicable to men now as it was then.

Labor is the greatest wealth-producing power in the world. It cultivates the soil, builds houses and shops, constructs and operates railroads, produces all we use, wear and eat, and develops forests and mines.

The last Democratic State platform declares, "We favor the enactment of wise laws for the protection from accidents and injuries of all laborers engaged in hazardous employments, and we favor wise and conservative laws regulating the arbitration of labor strikes and disputes."

Public Roads.

The Department of Public Roads of the Commonwealth of Kentucky was organized in accordance with Chapter 16 of the Acts of the last General Assembly. There has been in our State a general desire for the improvement of our public roads. The people know that good roads mean a decreased expense in hauling products to market and in getting goods home from the place of purchase. They know that good roads improve farm values, mean better access to schools and to churches, and better and more attractive environments.

In accordance with the requirements of the Act passed by the last General Assembly, I appointed Robert C. Terrell Commissioner of Public Roads, June 21, 1912. He immediately began actively to organize the department, and it sent out literature setting forth the duties and policies of the office for the benefit of the public roads of the State and to stimulate sentiment in favor of their betterment. The department under the present law is advisory, and in that capacity has performed good service to the Commonwealth in furnishing speakers at public gatherings to discuss the different phases

of road building and advising with the county officials with reference to the handling of their road and bridge funds. The demands on the office have steadily increased and the office force has been increased only with a view of keeping pace with the immense amount of road and bridge work that the department is being called upon to perform. It has furnished plans, specifications and estimates of cost for one hundred and fifty-three bridges, and made surveys of over one hundred and twenty-five sites, the remainder being built on foundations already constructed or information furnished by surveys made by local authorities. Fifty-six bridges have been inspected for the purpose of determining their safety for the traveling public. Surveys, profiles, specifications and estimates of cost have been furnished on sixty-one miles of new road, and three hundred and seventy-four miles of road have been inspected in company with the county road engineer or other county officials, for the purpose of making recommendations for their approval. I am informed that in every instance where the plans and specifications of the department have been adopted, they have resulted in the saving of funds and in a marked increase in the efficiency of the construction. The department has furnished a representative when asked to do so, to attend fiscal courts and advise with the members with reference to the letting of contracts, with the view of seeing that the bids were not excessive. Bulletins, containing useful information, have been published and distributed from time to time throughout the Commonwealth, and circular letters have been forwarded to the county road engineers containing special information concerning the handling of their work.

The law creating the department set aside, from the license tax on automobiles, which constitutes the State Road Fund, the sum of twenty-five thousand dollars annually, or such part thereof as was needed, to make the service efficient. That the department has been economical in the handling of

these funds will be seen from the following statement for the fiscal year ending June 30th, 1913:

Salaries	$6,613.54
General expenses, including office expenditure and engineering equipment	1,824.57
Traveling expenses	1,753.09
	$10,191.20

It appears, therefore, that less than one-half of the amount appropriated was expended. During the coming year it is anticipated that the expense will reach from one and one-half to twice the expenditures of the last fiscal year. This will be caused, mainly, by the increased demands on the office force and increased business throughout the State.

The new Road Law, in the main, has met with little opposition, and where it has been given a fair and impartial trial by the county officials and county road engineers have been given an opportunity to perform their duties unhampered, it has proved satisfactory.

The State of Kentucky should continue the great progressive policies toward her public highways, so faithfully begun, by encouraging, in an appropriate and conservative way, the requirements of the new Road Law.

Department of Banking.

Frequent bank failures and the consequent loss of money to depositors caused the Legislature of 1912 to pass a comprehensive Act looking towards the regulation, examination and proper conduct of State banks.

I had recommended such legislation in my message to the Legislature, and, therefore, it was with great pleasure that I gave my approval to the bill. This Act was to become operative on July 1, 1912, and according to the provisions of it,

during the month of June, I appointed Thomas J. Smith, Banking Commissioner of the Commonwealth, who in turn appointed Mr. Rankin I. Revill, Deputy Banking Commissioner, and also appointed three Bank Examiners and an office force.

The affairs of the department have been managed in an efficient and economical manner, and the financial institutions of our State have been brought to a higher standard, and public confidence in them has been further strengthened.

Six banks have placed their affairs in the hands of the department for liquidation, and it is found that the affairs of any bank can be liquidated much more expeditiously and economically than by the former method of appointing receivers. This is evidenced by the fact that the depositors in four of these banks in liquidation have been paid in full, in one of the others a dividend of seventy-five per cent has been paid to depositors, and the remaining one was only placed in the hands of the department during the past month of December.

During the year seven hundred and seventy-nine examinations were made by the department, and five called reports of conditions were required.

According to the called report of November 14th, there is shown to be four hundred and seventy-three State banks, trust companies and combined banks and trust companies doing business in the State, with total assets of $114,299,619.29.

It is gratifying to me to state that, while other States expend large sums on their departments of banking, the work of this department in our State for the first year has proved to be self-sustaining by reason of the fees collected from the banks for examinations and reports.

A copy of the first annual report of the department has been furnished to each member of both Houses, and I ask that you give serious consideration to the suggestions contained therein, and lend your assistance and co-operation to-

wards strengthening our banking laws and standardizing our State banking institutions.

Forestry.

A State Forester, J. E. Barton, who was a graduate in Forestry and who had, for several years, been in the United States service, was appointed by the State Board of Forestry on September 1, 1912, under an Act of the General Assembly, and the department was then organized. An educational campaign was undertaken throughout the State which has included publication of various lectures and talks on phases of forestry and conservation. The chief effort in this direction has been an endeavor to bring before the children of the schools the advantage of a continuous timber supply and the economic part which forests play in conserving water, regulating the flow of streams and securing the purity of the water supply. In this connection Arbor Day has been emphasized in the schools, and an arboretum established on the grounds of the new State Capitol, in which there are over two hundred trees and which will eventually contain specimens of all trees and shrubs native to Kentucky. Professor H. Garman, State Botanist and Entomologist, and H. F. Hillenmeyer, of Lexington, Kentucky, have taken a great interest in this movement. Mr. Hillenmeyer has furnished a large number of trees. A forest nursery has been established on twenty acres of ground in Louisville adjacent to the State Fair and the Government Fish Hatchery. The initial capacity of the nursery is four hundred thousand seedlings, and the capacity will be greatly enlarged next spring. Some stock, will be available for distribution next fall and a considerable amount the following spring.

A plan for the protection of the forests of the State from fire has been outlined and adopted. This plan involves cooperation with the forestry service of the United States Department of Agriculture, under the Weeks law, whereby four

thousand dollars became available to the State Board of Forestry for the purpose of fire protection.

A systematic effort at forest fire protection has been made in the face of an unusually dry summer, which resulted in a large number of the forest fires in the eastern part of the Commonwealth. Thirteen forest wardens were appointed, and the requirement for the appointment of forest wardens in additional counties has been greater than the funds available permitted. The definite information in regard to forest fires, which has been obtained this year, will form a basis for better protection in the future.

Advice on the establishment, care and management of forest plantations has been freely furnished to individuals and companies throughout the State by the Forester.

Mine Inspection.

The Chief Inspector of Mines and the Assistant Inspectors are all industrious, capable and discreet men. All were required to pass examinations as to their qualifications before appointments were made, and the foremen of mines were also required to pass examinations. All made good grades, and the business as well as the development of mines in Kentucky has made decided advancement.

The staff of inspectors includes a chief, C. J. Norwood, and five assistants: T. J. Barr, R. D. Clere, P. V. Cole, G. T. Sears, and H. S. Sizemore. There are now in Kentucky about two hundred and sixty commercial mining concerns, operating about three hundred and fifty separate mines, together with a number of other companies, the mines of which are still in the development stage. About thirty-two thousand persons are employed at and in the mines, of whom about eleven thousand five hundred are in the western fields and about twenty thousand five hundred in the eastern fields. Two of the five inspection districts are in the western fields and at the present embrace twelve counties; the remaining three

in the eastern fields, at present include twenty counties. With an output of 16,323,924 net tons of coal in 1913, Kentucky rose from the seventh to fifth place among the coal-producing States of the United States, the five leading States being Pennsylvania, West Virginia, Illinois, Ohio and Kentucky, and it is believed that, within a few years, Kentucky will take fourth place.

About nine hundred and five inspections and visits to mines were made during the current year, and about eight hundred notices concerning condition in which mines were found were sent to mine operators. While there are some individual exceptions, the general condition of the mines is good and will compare favorably with that of the mines of any State, as is shown when comparison is made of the accident statistics of Kentucky with those of other States.

In 1910, the Legislature authorized the purchase, for the mine inspectors, of six sets of mine rescue apparatus. They have more than justified the Act of the Legislature.

The development of the coal mines in the eastern field is increasing rapidly; especially in the upper portion of the Big Sandy and on the North Fork of the Kentucky River; also in Letcher, Harlan and Bell counties. The western field is also receiving much attention from mining capital, and is making splendid progress.

The State Geological Survey.

The value of a State Geological Survey to the citizens of Kentucky cannot be over-estimated. Properly presented, it will show to the world mineral wealth, fertility of soil and immensity of natural resources which cannot be surpassed by any other State in the Union, there being 15,680 square miles of coal-bearing area. The geological survey of Kentucky was commenced in 1854 and continued until 1859 by Professor David Dale Owen. Two reports were issued by this distinguished geologist and his able assistants. In 1859 the geological survey ceased in Kentucky, and was not re-

sumed until about 1875, when it was conducted by one of the best-informed and most accomplished geologists, Professor N. A. Shaler, who was commissioned by me for four years, during my administration from 1875 to 1879 as Governor. He made four reports which have been of incalculable benefit to Kentucky, and then the geological survey ceased, and was not re-established with an office at Frankfort until the beginning of my present term.

The total annual appropriation for the geological survey is twenty-five thousand dollars. Of this amount ten thousand dollars per annum is to be used in co-operation with the United States Geological Survey, for topographical work and the preparation of maps showing accurate levels and contour lines.

A contract has been made with the United States Geological Survey under which the work has been carried on, the national government appropriating ten thousand dollars per annum for work in this State. Under this arrangement, therefore, the work is costing the State one-half of what it would otherwise cost, and is providing accurate base maps for the geological work and for the final and complete map of the State.

The remaining fifteen thousand dollars of the annual appropriation is to cover the cost of all geological, chemical and other surveys in the State, as well as all salaries (outside of that of the State Geologist), traveling expenses, office expenses, etc. All of this appropriation has not been used this year, but with what has been expended surveys and reports have been prepared on oil and gas, lead, zinc and flourspar in Kentucky, on Kentucky water powers, on the coals of the Upper Big Sandy Valley, on fire clay and fire clay industries in Rowan, Carter, Boyd and Greenup counties, on the coals of Upper Licking River, Warren county oolithic building stones, various quadrangles, etc., which will be shown at length in the annual report of the State Geologist, J. B. Hoeing.

Under the co-operative agreement with the United States Geological Survey, unfinished work in four quadrangles in Western Kentucky has been completed and work started in five quadrangles. In Eastern Kentucky unfinished work has been completed in two quadrangles, work in four quadrangles are about completed, and new work started in others.

A total of nine hundred square miles has been completed in the field during the year, and office and map work on ten quadrangles.

The office of the State Geological Department is in Frankfort, but the State Museum, consisting of samples of all the mineral products of the State, timbers and other things is located at Lexington; and I recommend that the State Museum be moved from Lexington to the rooms of the State Geologist at Frankfort, where it can be properly cared for and enlarged. The Museum and the Geological Department were at Lexington, and by an Act of the Legislature the Geological Department was moved to Frankfort about a year and a half ago, and it is important that the Museum should be located at the same place with the Geological Department.

The State Board of Health.

The Kentucky State Board of Health, during the last two years, broadened and intensified its activities. Through its Vital Statistics Bureau, with efficient registrars in every community, its records show that forty-seven out of every hundred deaths in Kentucky each year are from preventable diseases. This is an actual and reliable invoice of the health and life of our people and properly the basis for all other activities of not only this Board, but of the State Tuberculosis Commission, the State Pure Food and Drug Commission, and the many other public-spirited organizations with which it is co-operative to lessen the sick and death rate.

Examination of thousands of specimens submitted to the Bureau of Bacteriology and Sanitary Engineering indicated

widespread dissemination of germs or seeds which cause preventable diseases, and the importance of a return to simple and effective methods of sanitary living, which will protect and conserve the State's greatest asset, which is a virile citizenship. The report of the State Board of Health shows that "intensive campaigns in twenty-three counties by sanitary inspectors covering from four to six weeks for each county, during which from ten to ninety per cent of the men, women and children were examined by experts, indicated the existence of many cases of illness from tuberculosis, typhoid fever, hook worm and the conditions resulting from ignorance of those diseases caused by immoral relations of the sexes is not only serving as centers of infection, but also in many cases are sufficiently serious to so impair the efficiency of the individuals affected as to render them burdens to their families and communities, rather than the effective, productive citizens these counties need for their proper development."

In addition to such diseases as are widespread in almost every county, there are constantly recurring epidemics of greater or lesser extent which require trained experts for their control. The work of the State Board of Health was effective in the disastrous flood of 1913, when, as Governor, I co-operated with the Board of Health and the American Red Cross, and took prompt steps to enable the suffering people to return to their homes under proper sanitary surroundings.

The State Board of Health has rendered valuable service co-operating with the United States Public Health Service in the treatment of trachoma, a dangerous, contagious disease, which causes blindness. In several of the mountain counties cases of trachoma are now under treatment of experts supplied by the National Government overlooked by the State Board of Health.

All this commendable work of our effective State Board of Health demonstrates the necessity for a further and a

greater effort to reach all of the people with instructions as to how to protect health and life.

Careful study of these conditions, in the light of Gladstone's maxim, "that the health of his people shall be the first care of the statesman," inspires the hope that the General Assembly will carefully consider the idea of providing trained health officers, who will devote their entire time to this work.

Tuberculosis.

Expert medical men now agree that tuberculosis is both a preventable and curable disease, and that a large part of the sickness and fatality incident thereto can and should be avoided. The ravages of consumption represent terrible destruction of life, and every movement which gives reasonable hope of reducing the annual death roll should be supported.

According to the reports of the Bureau of Vital Statistics, during the first seven months of 1911, six thousand and eighty-five cases of tuberculosis were under treatment by physicians in Kentucky. In the same period three thousand three hundred and twenty-five deaths were reported. This is certainly a grave and serious showing, and the State Board of Health speaks correctly when it says "consumption is the most common and fatal disease with which the people of Kentucky are afflicted."

Since the Tuberculosis Commission was authorized by the Act of the Legislature, approved March 18, 1912, great progress has been made against tuberculosis.

The active work of the Tuberculosis Commission began July 1, 1913. In six months of active work it made good achievements and has laid the foundation for even greater usefulness in the future. Acting with the approval and in co-operation with organizations or community leaders, in Fayette, Christian and Henderson counties, it has conducted the educational campaign for the establishment of district

tuberculosis hospitals, the campaign resulting, in each instance, in a decisively favorable majority.

The Tuberculosis Commission has co-operated with the district board in Kenton county, which was declared a district in 1912, in the preliminary work of selecting a site for a hospital. The representatives of the Tuberculosis Commission have lectured before about one-half of the teachers' institutes of the State on health problems, and literature on the subject has reached nearly all of the teachers of the State. Its lecturers have spoken before more than sixty thousand people. It has secured the publication in newspapers of hundreds of pages of accurate information concerning tuberculosis as a disease. More than seventy-five thousand pieces of educational literature have been distributed. Its workers have discovered or aided in the treatment of many cases of consumption and other diseases. Its nurse in Mason county has secured the formation of a local society which has made arrangements for a medical inspection of the school children of the county, and active work will be done in favor of a county tuberculosis hospital. This work has been so successful that individuals or societies in twelve other counties have asked for the same service. From Daviess and Hopkins counties have come definite requests that the Commission conduct the necessary campaigns to convince the fiscal court of the necessity for tuberculosis hospitals.

The campaign which is being waged against tuberculosis in Kentucky should be encouraged in every proper manner.

Game and Fish Commission.

The law creating the Game and Fish Commission and provided for in Chapter 35 of the Acts of 1912, did not change the season for the taking of game and fish, but provided for the appointment of a Game and Fish Commission, vested with authority to enforce existing laws for the protection of game and fish.

Section 3 of this law, in defining the general powers and duties of the Game and Fish Commission, provides that "said Game and Fish Commission shall enforce the laws of the State involving the protection, preservation and propagation of all game birds, game animals, fish, and song and insectivorous birds as they shall deem to be of public value."

The law further provides that any person, when hunting off of his own land or that immediately adjoining his own, with the permission of the owner or occupant of said adjoining land, should first procure a hunter's license—that the resident should pay for this license the sum of one dollar, and that the non-resident should, for a similar license, pay the sum of fifteen dollars.

In compliance with Chapter 35 of the Acts of 1912, I appointed J. Quincy Ward Executive Agent, and the following named Game and Fish Commissioners: Joseph G. Saxe, Louisville, chairman; Robert Burnam, Richmond; J. E. Crider, Jr., Fredonia, and A. G. Patterson, Pineville. Section 41 of the chapter referred to appropriated five thousand dollars for the first year of its existence, with a provision that this sum be repaid to the State out of the first money accruing to the Game and Fish Protection Fund, from the sale of resident and non-resident licenses.

The financial report, which has been made to me, shows that only three hundred and twenty dollars and seventy-one cents was drawn from the appropriation, and that the sale of licenses issued during the month of July, 1912, amounted to one thousand, three hundred and seventy-three dollars and fifty cents. Of this sum the three hundred and twenty dollars and seventy-one cents was repaid to the State, thus covering the small amount drawn from the appropriation of five thousand dollars.

The Act provides that the expense incurred for any purpose connected with the Game and Fish law shall be limited to the amount of money in the Game and Fish Protection Fund.

Since July 31, 1912, all warrants drawn by the Commission have been from the Game and Fish Protection Fund, and on January 1, 1913, after paying all the expenses, there remained to the credit of the Game and Fish Protection Fund a balance of twenty-six thousand two hundred and fifty dollars and forty-five cents. It is shown, therefore, that the department is not only self-supporting, but that it is operated without any cost to the State; besides, a good surplus remains.

A law similar to the Kentucky law has been adopted in every State in the Union but two, and has been successfully operated by all of them on a like basis. In other States it has been demonstrated that a portion of the funds accruing from the sale of hunting and fishing licenses can be made of direct benefit to the State when used in the creation and operation of game farms and fish hatcheries; and the Kentucky Commission is now annually setting aside ten per cent of their gross receipts for the purpose of building and operating a game farm and a State fish hatchery, in order that the fields and streams may be re-stocked.

Kentucky has within her borders twelve thousand three hundred and sixty-five miles of streams, one thousand seven hundred and ninety-seven of which are navigable, and which have in the past produced great quantities of good and wholesome food, and when properly stocked and protected will annually yield a food supply of great value to the State.

The United States Department of Fisheries, which annually expends millions of dollars for the propagation and planting of fish in the public and private waters of the country, demands that the State enact and enforce suitable laws for their protection. Game and fish in certain sections of the State where they once abounded have practically disappeared, but the enforcement of the existing game and fish law and the reasonable stocking as proposed by the Kentucky Commission will undoubtedly result in benefit to the people and the State.

The Federal Government, at the last session of Congress, on March 4, 1913, authorized and directed the Department of Agriculture to adopt suitable regulations prescribing and fixing the closed season for the protection of migratory birds. That department has divided the United States into two zones adopted stringent regulations for their protection, and shortened the season when it is lawful for migratory birds to be killed. Our State laws should be made to conform to the regulations as prescribed by the Federal Government.

The Kentucky Commission may present for enactment such laws as have been shown to be necessary in other States and as will be beneficial in this State, and I recommend that you give to the bills the Commission presents your careful consideration.

The State Reformatory and Kentucky Penitentiary.

The last Legislature, in obedience to the pledge of the Democratic platform, that the State prisons be taken out of politics, passed the Act creating a Board of Prison Commissioners, composed of three members to be appointed by the Governor and removable by him for cause stated in writing.

The law went into effect June 12, 1912, and on that day the following named persons were appointed commissioners:

Daniel E. O'Sullivan, of Jefferson County.
Milton F. Conley, of Lawrence County.
Henry R. Lawrence, of Trigg County.

The annual report of the Prison Commissioners for the fiscal year ending June 30, 1913, has been received by me. It is a comprehensive document, giving in detail every material fact concerning the operation of the State Reformatory, at Frankfort, and the Kentucky Penitentiary, at Eddyville, and it is now submitted to the General Assembly. Senators and Representatives will find in this report an interesting summary of the admirable work done in these institutions, to-

gether with statistical information in regard to the 2,155 inmates of the two prisons.

I heartily commend the reforms inaugurated by the present Board of Prison Commissioners, and I have conferred with them and aided them in their good work. These gentlemen have labored faithfully to benefit the Kentucky prisons. They have brought to their difficult work sound judgment, honest motives and careful consideration. It has been their purpose to deal fairly with the prisoners; to supply, by education, training and discipline, existing deficiencies; to lift the incubus of ignorance from the minds of the prisoners; to cure them of physical ills if possible; to lead them into paths of righteousness, and to so mould and improve their characters that they will go back to the world benefited by their stay in prison.

In the furtherance of their good work the Board of Prison Commissioners instituted the following changes and reforms in the State prisons:

They complied with the statute passed by the Legislature in 1910 by establishing the State Reformatory in Frankfort, where prisoners under thirty years of age and those guilty of the lesser crimes are incarcerated. The prison at Eddyville was designated as the Kentucky Penitentiary, where the life prisoners, the older prisoners, and those guilty of grave crimes are kept. The contract labor system has prevented the completion of this plan, but gradual separation of the young men and the more vicious criminals is being effected.

The whipping of men and women prisoners has been abolished.

Beginning on August 1, 1912, each prisoner was given a share of his earnings, thus putting in force the Act of 1910. The first year's operation of this rule placed to the credit of the prisoners the sum of $57,823.10. Many of the prisoners have sent some to their suffering families the money which they received.

The present Board of Prison Commissioners have not attempted to interfere with legislative or other nominations, and have not interfered at the time of the regular election; and they have made it a cause for dismissal for any of the prison officials to contribute money to any candidate or party.

The parole of prisoners has been placed on a merit basis.

Prisoners suffering from private diseases have been sequestrated and given the benefit of every curative agent that modern science has discovered.

The tubercular prisoners have been placed in separate wards, beyond the danger of spreading infection, and every care and attention has been bestowed on them, including special diet and open-air treatment.

Night schools have been established in the prisons at Frankfort and Eddyville, and hundreds of prisoners of all ages attend these classes. Formerly a great proportion of the prisoners could not read or write, but now it is difficult to find an illiterate in either prison.

Good libraries in both institutions supplement the work of the schools. The inmates are permitted to read and write until nine o'clock at night, and an electric light burns in every cell until that hour.

The sanitary and hygienic condition of both prisons are excellent. Frequent baths, wholesome foods, clean beds and plenty of recreation conserve the prisoners' health and reduce the sick list to the minimum.

It gives me pleasure to state that Warden A. J. G. Wells, at the State Reformatory, and Warden John B. Chilton, at the Eddyville penitentiary, have been very faithful and efficient and have shown themselves worthy of the important positions they hold. These officers have entered with earnestness and enthusiasm into every plan suggested for the improvement of the prisons, and on their own initiative have inaugurated many reforms that have lightened the burdens of the prisoners and been beneficial to the general management of the prisons.

In the month of January, 1913, E. E. Mudd, for a number of years Warden of the Frankfort Penitentiary, died, after a brief illness. His long experience in prison work and his business ability, energy and admirable knowledge of men made him a worthy and successful warden, and his integrity and devotion to duty were admired and appreciated by all who knew him.

The following are the contracts now in force at both prisons, giving the number of men employed, the price per day, and the time each contract expires; neither the Governor nor the present Board of Prison Commissioners are responsible for the prices secured for this convict labor, or for the automatic renewal of these contracts, which thus seeks to bind the State for years to come; these contracts were made before the present Governor or Commissioners had control of the prisons.

State Reformatory, Frankfort—Hoge-Montgomery Company

650 men at 85 cents per day, contract expires January 1, 1915.

250 men at 77 1-2 cents per day, contract expires January 1, 1915; with privilege of four years' renewal.

150 men at 75 cents per day, contract expires January 1, 1915, with privilege of four years' renewal.

Kentucky Penitentiary, Eddyville—Reliance Manufacturing Company.

75 men at 67 1-2 cents per day; contract expires April 1, 1915.

175 men at 50 cents per day. (This contract originally was let to William Goodbar, by whom it was sublet to the Reliance Manufacturing Company. It expired April 19, 1913. They claim a renewal for four more years at 50 cents per day. The Board of Prison Commissioners refused to renew the contract at that price, and the Reliance Manufacturing

Company has brought suits to enforce their claims. The case is pending in the Franklin Circuit Court).

Kentucky Whip and Collar Company.

150 men at 57 1-2 cents per day; contract expires August 7, 1915.

Kentucky Broom Company.

75 men at 50 cents per day; contract expires February 1, 1914.

In February next this contract with the Kentucky Broom Company, for the labor of seventy-five prisoners, at Eddyville, will expire. They are now paying the State only fifty cents per day for this labor. Under a recent letting, the Reliance Manufacturing Company offered sixty-seven and one-half cents per day for the men, but the board rejected all bids in the belief that the Legislature might pass a law to work the men outside of the prison walls.

Houses of Reform.

The Houses of Reform were established at Greendale, near Lexington, Kentucky, by Acts of the General Assembly of 1896-1898. There are about six hundred and fifty boys and girls there at present, and the general supervision and government of this institution is vested in the Board of Prison Commissioners. The object of maintaining the institution is not merely to provide a place of detention, but for the reformation of those who, by reason of vicious conduct or moral depravity, have rendered themselves burdensome to their relations as well as to society, and who may be, under the law, committed to said institution.

The inmates of the Houses of Reform, in addition to a common school education, receive instruction in such branches of industry—agriculture, mechanical or domestic—as the Prison Commissioners may from time to time direct,

the reformation of the inmates and preparation for future self-support being kept steadily in view in the administration of the institutions.

The object of the law in establishing the Houses of Reform is laudable, and it is believed the inmates of these institutions are benefited during the time they are under the control of the officers of the institutions.

The Report of Our Hospitals for the Insane.

The reports of the Eastern State Hospital, at Lexington, the Central State Hospital, at Lakeland, and the Western State Hospital, at Hopkinsville, are now submitted to the General Assembly.

They all appear to be in a satisfactory condition, both in their general management and in the manner in which the unfortunate inmates are treated.

The State Board of Control for Charitable Institutions.

The General Assembly, at its regular session of 1906, enacted a law creating the State Board of Control for Charitable Institutions, consisting of three members, to manage and govern the three asylums for the insane and the Institute for Feeble-Minded Children. In 1908 the General Assembly amended this law so as to provide for four members of the board, two members to be selected from the political party which polled the highest number of votes in the last preceding election, and two members selected from the party casting the next highest number of votes.

The plan of a central board for the management of these institutions, instead of local boards, as the law previously required, had met with general approval, and has proved both economical and beneficial.

On the thirty-first day of October, 1913, the number of patients in these charitable institutions was 4,261.

The amount appropriated for maintenance and care of the institutions, from January 1, 1912, to October 31, 1913, which includes food and raiment for the patients, salaries of officials and employes, medicine and medical care, purchase of stock, care of farms and gardens, was $1,124,534.69. Of this amount there was expended, during this period, for new and permanent equipment and improvements, additional land, wages of skilled labor, mechanics and artisans, the sum of $224,765.15.

During this period there was collected and covered intc the State, through attorneys representing the charitable institutions, the sum of $14,242.67. The amount in the hands of the treasurers of the four charitable institutions, on October 31, 1913, was $51,761.13.

Some of the evidence of activity and advancement in the State's four charitable institutions are as follows:

A perfect system of accounting.

A purchase of dairy herd at each of the four institutions.

The segregation and isolation of tuberculosis and pellagra patients in buildings especially erected for them, without help from the State.

The establishing of training schools for nurses, thereby better equipping them for their duties in caring for the State's unfortunates.

The introduction of many forms of amusements and pastime for the benefit of patients.

The installation of libraries of many hundreds of volumes for the education and enlightenment of patients.

The elimination, practically, of every sort of mechanical or medical restraint.

The enactment of kind, humane treatment for each and every patient.

The purchase of additional land for the Central State Hospital, at Lakeland, without help or an appropriation by the State.

The best methods employed in the purchase of all supplies, resulting in a great saving to the State.

While the necessities of life have increased, approximately, forty per cent the past few years, the patients have been better fed and clothed, and the board has erected permanent buildings without increased appropriation from the State.

Kentucky Institution for Feeble-Minded Children.

The term of Doctor G. W. Armes, as Superintendent of the Kentucky Institution for Feeble-Minded Children expired, and Doctor H. C. Kehoe was appointed superintendent of that institution in the month of May, 1913.

This is one of the most important eleemosynary institutions in the State.

At the close of the year ending June 30, 1911, the total number of pupils in the institution was 272; at the present time this number has been augmented by 49, making the number of females 142 and males 179, or a total of 321, who are receiving as good care and attention as any similar pupils in the United States.

The general health of the pupils is good. They are classified in advance, as in other schools, and strict discipline is maintained. Where mechanical training, gardening or farming seem best adapted to certain pupils, this course is pursued. The adaptability of the pupil is ascertained and his work made as pleasant as possible. Every proper effort is made to obtain the best results in the various departments of learning. There are over one hundred in the literary department, where reading, writing and arithmetic are taught.

Manual training is now a recognized factor in the progress of education. Training the hand trains the mind, and it is, therefore, necessary to the development of feeble-minded children and backward children.

Among the models made are coat racks, flower pot stands, trouser hangers, pin trays, paper files, book racks, small tables and tabletts. The basket classes for boys and girls are very successful. The girls also make napkin rings, picture frames, tie racks and whisk-broom holders.

In the sewing department the girl pupils become quite skilled in making such articles as aprons, work bags, laundry bags, table runners, dresser scarfs, guest towels, etc. Loom work and knitting have been installed, and much is expected of this department.

There is a shoe-repairing shop, and young men do all the institution work during the winter season. Brooms and mops are made by them for the use of the institution and also for sale.

The sewing room is one of the principal achievements of the institution, and the superintendent reports that he turns out hundreds of dollars worth of work in this department during the year, making all the dresses and undergarments for girl pupils as well as shirts and undergarments and jeans worn by male pupils.

As a means of recreation, basket ball for the girls and base ball and foot ball for the boys add very much to the health features connected with the institution.

Each morning, except Sunday, the children assemble in the chapel for the exercises consisting of music, prayer and the calesthenic drill, and each Sunday morning is devoted to religious exercises.

Kentucky School for the Deaf.

This institution was established for the purpose of giving education to the deaf children of Kentucky, and is the fourth of its kind in the United States, having been in existence since 1823. More than two thousand deaf children have been educated here and have gone forth into the world as self-supporting citizens commanding the respect and esteem of the people

of the communities in which they lived. This school is under the management of twelve commissioners appointed by the Governor, the terms of four members expiring every two years. With the exception of the officers of the board, who are paid the sum, each, of one hundred dollars annually, none of them receive any compensation for the services they render.

During the ninety years of the school's history, it has had but six principals to direct its affairs. Another fact worthy of mention is that over ninety per cent of the pupils who have gone forth from this school are self-supporting.

The faculty is composed of men and women of culture and refinement, most of whom are college graduates; and this, in a measure, accounts for the success the school has attained in so well equipping the deaf boys and girls in this State for the battle of life.

The pupils pursue, practically, the same course of study as that of the public schools of the State. Some of them take a high school course so that they may be admitted to the National College for the Deaf, in Washington City.

In addition to the course of study in the literary department, the pupils are taught a number of useful trades, which, more than anything else, contributes to their success as bread winners in after life. The trades taught are printing, shoemaking, tailoring, carpentry, cabinet work, wood-turning and gardening for the boys, and sewing, dressmaking and general housework for the girls.

The bi-ennial report of this school is a sample of the work done by the boys of the printing department, and the work in the other trades is upon the same high plane of efficiency.

The fact that there have been but two deaths in the school during the past two years, with a yearly enrollment of about three hundred and fifty children, most of whom are quite young and subject to all the diseases incident to childhood, shows that from a hygiene standpoint the school is all that can be desired. The pupils have been comfortably

clothed and well-fed at all times, and there is not, probably, a boarding school any where in Kentucky for young people where the pupils are happier or more contented with their surroundings than in the school for the deaf.

The enrollment for the past scholastic year was three hundred and twenty-five pupils in the white department and twenty-eight in the department for the colored deaf. The cost per capita for maintenance was far below the average for similar institutions in the United States for the same period. Of the fifty-eight schools reporting their statistics to the American Annals of the Deaf, of January 1, 1913, the average annual cost per capita for maintenance was seventy dollars more than for the Kentucky School.

More than three thousand dollars have been spent the past year for repair and improvement, out of the annual appropriation for support, and the fiscal condition of the institution was never better than at the present time.

The work during the past two years has shown marked progress in all departments of the school, and teachers and officers are rendering loyal service to the managers.

This institution is performing a great service for the deaf, for in addition to the good it is doing in giving education, light and happiness to those who would otherwise remain in darkness and ignorance, with no knowledge of God or their relation to their fellowmen, every dollar that is spent here is money well-invested; like "bread cast upon the waters" it brings its return in the development of the afflicted deaf children of the Commonwealth—in its wage-earning, God-fearing citizens who ask charity of no one, but only a chance to labor in the various fields of human endeavor.

The Kentucky Institution for the Education of the Blind.

Under the guidance and direction of a new superintendent, Susan B. Merwin, the Kentucky Institution for the Education of the Blind is doing successful work. The work of teachers,

pupils and employes seem to be satisfactory. The various departments are maintaining their usual standard of excellence, and good progress is being made by each. The health of the children is good, and this is to be attributed, to a great extent, to the regular life pursued, fresh air, systematic exercise and wholesome work of the children.

The efficiency of the school has been increased by the purchase of twelve new typewriters to take the place of the old equipment, a set of Montessori material for the kindergarten, and the installation of domestic science for the girls. A loom, with which to teach the girls the art of weaving handmade rugs and fabrics, has been generously donated by a friend of the institution. Special instruction in all kinds of basketery, reed and willow work, is being given to both boys and girls, and simple lessons in agriculture are being undertaken with the boys.

The school seems to be striving to give practical vocational training to these afflicted children, so that they may be able to go out into the world equipped to be useful, independent citizens of the Commonwealth.

It is a deplorable fact that all the blind children in the State are not sharing the benefits of this institution. The average students is about one hundred and twenty, which is less than one-half the number which should be in the school. Every effort is being made to reach these children, that they may receive the education to which every child in the State is entitled.

Confederate Pensions.

The Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate soldiers, was approved March 4, 1914.

The General Assembly of Kentucky tried to make comfortable the old age of many of her heroes, not only because of respect for them, but also to assure those whose service may be hereafter needed in war that a brave people are always appreciative.

Captain W. J. Stone, Examiner, in his report, states: "Fifteen hundred and seventy-six pensions have been paid to November 1, 1913, to indigent and disabled soldiers, and four hundred and thirty-two additional pensions have been allowed, making the whole number of pensions allowed since November 4, 1912, two thousand and eight;" and there has been paid to Confederate pensioners in the last year and ten months the sum of $225,550.93. This amount is not large when compared with the amounts paid in other States.

The amount allowed in North Carolina, in 1912, was	$498,254.00
The amount allowed in South Carolina, in 1913, was	256,480.00
The amount allowed in Georgia, in 1912, was	1,080,000.00
The amount allowed in Florida, in 1912, was	602,000.00
The amount allowed in Virginia, in 1912, was	440,000.00
The amount allowed in Arkansas, in 1913, was	635,00.00

The State of Texas appropriates five hundred thousand dollars per annum for Confederate pensioners.

When the Confederate Pension Act became a law, it was not believed there would be as many applications for pensions as have been filed, and it was believed the Pension Examiner and one clerk could do the work. In addition to the applications that have been filed, the correspondence has been very voluminous and almost every letter contained a demand for important information and asked an immediate answer; and it is evident that the Examiner and one clerk can not perform the work required and that another clerk should be allowed this department. The salary of the Examiner is only one hundred dollars per month. This salary should be increased to an amount commensurate with his heavy and important duties.

The Kentucky National Guard.

The Organized Militia of the State, now known as the Kentucky National Guard, has been in existence since the beginning of the Commonwealth. The Militia serves in a dual capacity; that is, subject to the call of the Governor for State service and to the call of the President of the United States for United States service; therefore, the expense of organizing, equipping, uniforming and maintaining the Militia is borne partly by the State and partly by the United States.

The allotment from Federal funds for the fiscal year ending June 30, 1914, aggregate $72,986.10, and the annual appropriation from State funds is $20,000.00, the latter being required for expense of administration and clerical help, labor and many incidentals which can not be paid from the Federal appropriation. The Federal appropriation is intended to cover the cost of arms, equipment, uniforms, equipage, etc., and for the pay, transportation and subsistence of troops while in attendance at encampments and while participating in field maneuvers and practice marches under orders from the War Department. Every penny of the Federal and State appropriations has been required to advance the guard to its present position.

It has been the policy of the State authorities, for many years, to attempt to maintain three complete regiments of infantry, and this administration has practically completed the organization of one infantry brigade under the regulations prescribed by the War Department which requires the State Militia to conform to the organization of the United States Army, in order that the State may receive the benefits afforded through Federal appropriations.

On December 31, 1911, Kentucky had thirty-one companies of infantry, two bands and one Field Hospital, with a strength of 146 officers and 1,537 enlisted men. On December 4, 1913, the State had thirty-five companies of infantry, three bands, one Field Hospital and two Detachments of Sanitary

Troops, with a total of 170 officers and 2,165 enlisted men, representing an increase of twenty-four officers and 628 enlisted men within two years. The Brigade will be completed by the muster in of one company of infantry and one detachment of sanitary troops, which are now being organized.

The State has in its possession arms, equipment, uniforms, etc., belonging to the Government, valued at, approximately, $400,000.00, which the Governor is required to account for by annual returns to the Secretary of War. All this property is handled through the medium of the Adjutant General's Department and requires a large amount of clerical work.

Two inspections by an Army officer are made annually, one at the home station of each organization and one during the summer encampment. These inspections are made to determine the efficiency of the Guard and the condition of the public property in its possession. Recent inspections show a marked improvement in the personnel and in the care and preservation of property, which is due to the efforts of officers and non-commissioned officers detailed as instructors by the War Department and to the Adjutant General and commanding officers of organizations. These inspections show that the Guard is properly organized and completely armed, uniformed and equipped to take the field on short notice.

Officers are required to pass a rigid examination before being commissioned, and all men must pass the same physical examination required for the United States Army.

While participating in the annual encampments and rifle practice, the officers and the men of the Guard receive the same rate of pay as officers and enlisted men of corresponding grades in the United States Army, but are not paid for attending drills, etc. Bills have recently been presented in Congress for the purpose of paying the officers and men for the time necessarily consumed by them in attending drills, and if such a bill became a law, it is believed that the expense would be justified by the increase in efficiency and would be a stimulus toward advancing the Guard to a higher standard.

Each commissioned officer in the Guard is required to furnish bond in the sum of $500.00, with a surety company, for the protection of the State's interests in the matter of properly accounting for funds and public property.

It became necessary to muster several companies out of the service for inefficiency during the past two years, the vacancies being promptly filled by the muster in of new companies at other points.

During the spring floods of 1912 and 1913, in the Ohio, Mississippi and Green River valleys, I was appealed to for aid and used all the means at my command to alleviate the distress and suffering by furnishing tents and blankets for the homeless and by placing officers and men of the National Guard on duty at various points to assist the civil authorities in maintaining comfortable and sanitary camps. These tents and blankets have all been returned to the State Arsenal. The Acting Adjutant General was sent to various places to investigate and report on the conditions and needs of the people. The State authorities co-operated with the Federal officers by furnishing supplies and rendering assistance to the following points: Catlettsburg, Ashland, Wellsburg, Newport, Covington, Calhoun, Ashbyburg, Smith Mills, DeKoven, Caseyville, Wickliffe, Columbus, Hickman and Frankfort.

In addition to the assistance given flood sufferers, small detachments of the guard have been ordered on active service to assist the civil authorities in the enforcement of the law and to preserve the peace at Salyersville, Jackson, Somerset, Bardwell and Pineville.

A camp of instruction for infantry and medical officers was held at Frankfort in May, 1912, with seven Army officers as instructors; 89 militia officers were in attendance. The entire Guard participated in a joint Encampment and Maneuvers with the Regular Army and troops of other States at Anniston, Alabama, from July 26 to August 4, 1912; there were 139 officers and 1,617 enlisted men in attendance from

Kentucky. During the months of August and September, 1912, a State Rifle Competition was held at Earlington, Kentucky, with 67 officers and 143 enlisted men participating. The encampment for 1913 was held at Middlesboro, Kentucky, July 15 to 23; the entire Guard being in camp at the same time, there were 147 officers and 1,691 enlisted men in attendance. A State Rifle Competition was held in August, 1913, at Earlington, followed by the participation of the State Rifle Team in the National Rifle Matches held at Camp Perry, Ohio.

It will be necessary to make several minor changes in the present State Militia Law in order that same may conform to the requirements of the War Department, and these changes will be presented in the form of a bill for your consideration and action.

The membership of the Guard is composed of patriotic men from all walks of life and represents all professions and can be relied upon for unswerving fidelity to duty when their services are required.

Corrupt Practice Act.

I recommend the enactment of a law which shall, under proper penalties, compel publicity of campaign contributions both as to source and disbursement, before primary and general elections, for campaign committees and for individuals, and which shall limit campaign expenditures to that which is legitimate and necessary.

Uniform Accounting Law.

A law requiring uniform system of accounting should be enforced in all public offices charged with the collection and disbursement of public money.

Public officers who receive public money and distribute it should have a system of bookkeeping in every respect up-to-date, subject to inspection by all who are concerned or who have authority to inspect.

We should be able to tell, on request, any day, without special investigation, the financial condition of the State of Kentucky and of every county in it, and the exact cost of operating every department in the State; and we should also be in position to know, on request, the financial condition of every officer charged with the collection and distribution of money and all the State institutions.

An able United States Senator said, on one occasion, that if the Federal Government were conducted on business principles and proper book-keeping employed in all the departments, several hundrd millions of dollars could be saved. It is also true of Kentucky and of various counties, cities and towns in the State, that much money could be saved by a uniform system of accounting.

Many States have enacted legislation for a uniform accounting system, and Kentucky should be as progressive on this line as any of her sister States.

Workmen's Compensation Law.

The principle, that the cost of industrial accidents must be charged to the industries causing them or owners thereof, and not be permitted to fall entirely upon the unfortunate workers, who are injured, has been recognized in many States.

About twenty States have enacted Workmen's Compensation laws. In some States the law applies only to hazardous employment, while in other States to all who are injured. It has been declared in some of the States that the risk and danger of accidents in employments, especially hazardous employments, should not be borne by the employes alone, for the reason that no matter how careful we are, or how free from negligence, accidents will occur as long as human nature is fallible.

I recommend that the subject of workmen's compensation for injuries while they are actually laboring, be carefully examined and a wise and just law enacted.

Governor's Mansion.

The Act to provide for the erection and completion of a Governor's Mansion and other necessary buildings connected therewith, at the seat of government, was approved February 7, 1912. In the preamble of that Act it was declared that "the Governor's Mansion at the Capitol is notoriously inadequate to furnish a proper home for the Governor of Kentucky; is now old and dilapidated and much out of repair, and the present building does not comport with the dignity and wealth of the State." The Commissioners of the Sinking Fund of Kentucky, consisting of the Governor, the Attorney General, the Auditor of Public Accounts, the Treasurer and the Secretary of State, were authorized to erect and complete a Governor's Mansion and other necessary buildings on the Capitol grounds or on lands near thereto. They have erected a Governor's Mansion on land purchased by the Commissioners, adjoining the Capitol grounds, there being no suitable site on the present Capitol grounds.

The Act of the General Assembly appropriated seventy-five thousand dollars for the purchase of a cite, the erection of the Mansion, the employment of architects, the purchase of furniture, carpets, curtains, etc. The Commissioners of the Sinking Fund advertised for plans and specifications, and also for sealed bids and proposals, and, although they advertised twice and received proposals or bids twice, after paying $9,500.00 for the site on which the Governor's Mansion was to be built, they were unable to make contract for a suitable, commodious Mansion with furniture, carpets, curtains, etc., for $65,500.00, and, therefore, they were compelled to pay, for the site and the building and furniture $94,902.40.

I believe the members of the General Assembly will be pleased with the Mansion which has been erected, and which will be occupied for more than a hundred years by the Governors of Kentucky, and which is erected within about two

hundred and fifty yards of the State Capitol building, a structure which cost, including the grounds, etc., about $1,820,000.00.

I present a statement, signed by the Commissioners of the Sinking Fund, who were authorized to purchase the site and construct and furnish the Governor's Mansion:

"We, the undersigned Commissioners of the Sinking Fund of Kentucky, authorized by an Act of the General Assembly, approved February 9, 1912, to erect and complete a Governor's Mansion and other necessary buildings on the Capitol grounds or on lands near thereto, have erected the Governor's Mansion on land purchased by the Commissioners, adjoining the Capitol grounds, there being no suitable site on the present Capitol grounds for the Governor's Mansion, and the total expenditures for all purposes under the Acts of the General Assembly, including purchase of site upon which to erect the Mansion and the employment of architects, the purchase of furniture, curtains, etc., in the Mansion cost $94,902.40.

The amount appropriated was $75,000.00, and there remains $19,902.40 to be paid, and the General Assembly is asked to make an appropriation to pay this amount.

"The Commissioners of the Sinking Fund of Kentucky advertised twice for plans and specifications and twice for sealed proposals or bids, and they were unable, after paying $9,500.00 for the site on which the Governor's Mansion was to be erected, to make a contract for a commodious and suitable Governor's Mansion with furniture, carpets, curtains, etc., for $65,500.00; and, therefore, they were compelled to pay, for the site and the building and furniture $94,902.40.

"We believe the members of the General Assembly will be pleased with the Mansion that has been erected, which will, for more than a hundred years, be the home of the various Governors of the State of Kentucky. The Mansion is not more than two hundred and fifty yards from the Capitol building

which cost $1,820,000.00. We, as Commissioners, promised the contractor and those who furnished the Mansion that we would recommend payment of the amount herein referred to if they would go on and complete the building and furnish it; and, as the building could not be finished and furnished without the additional amount named, we believed it was best, under all the circumstances, to have it finished and furnished by the time the General Assembly convened.

"He respectfully ask that the sum of $19,902.40 be appropriated by the General Assembly to finish paying for the erection of the building and to finish paying for the furniture.

(Signed) "JAMES B. McCREARY, Governor.
"JAMES GARNETT, Attorney General,
"H. M. BOSWORTH, Auditor.
"THOMAS S. RHEA, Treasurer.
"C. F. CRECELIUS, Secretary of State."

The Panama-Pacific International Exposition.

The Panama-Pacific International Exposition will be held in San Francisco, California, in the year 1015. This stupendous enterprise, one of the greatest ever conceived by man, is nearing completion, and the entire world will be benefited by the work. Nothing ever contemplated by our general government will reflect more credit upon us as a nation than our successful completion of this vast undertaking.

The opening and commercial use of the Panama Canal will be celebrated some time in the year 1915. Most of the States will be represented there, and many will have suitable buildings on the exposition grounds. It is desirable and fitting that Kentucky, which is one of the greatest States in the Union and which should be as progressive as any sister State, should have a suitable building on the exposition grounds and have a proper display of her agricultural products, mineral resources, manufactures, live stock, poultry, etc. Where so

great a display will be made by the different States in the Union and by various countries of the world, Kentucky will be afforded a splendid opportunity for exhibition of the State's resources, attractions and advantages.

A commission consisting of three members was authorized by an Act of the General Assembly, approved March 12, 1912. The members were authorized to visit San Francisco and secure options on a suitable site for the erection of a building to represent Kentucky at said exposition, and their report to me will be laid before the members of the General Assembly. They received no compensation for their services, but only their necessary expenses incurred while engaged in the required duties.

There seems to be a general sentiment that Kentucky should be represented at that great International Exposition. The members of the Commission should serve without pay and be allowed their necessary and actual expenses while representing the State, and an appropriation should be made in order that Kentucky and Kentucky's attractions may be properly represented, and a suitable building erected.

The Gettysburg Anniversary.

In accordance with an Act of the General Assembly of 1912, authorizing the Governor to appoint a commission of five veterans to attend the celebration of the fiftieth Anniversary of the Battle of Gettysburg, to be held on the battle grounds, July 1, 2, 3 and 4, 1913, of which the Governor should be chairman, I appointed Rear Admiral J. C. C. Watson and Colonel Andrew Cowan, formerly of the Federal Army, and General Bennett H. Young and Captain John H. Leathers, formerly of the Confederate Army, and, as Chairman of the Commission, I accompanied them to Gettysburg. Nearly fifty thousand Confederate and Federal soldiers assembled there. The President of the United States and Vice-President and

many members of Congress attended the celebration and made speeches, and speeches were also made by the Kentucky Commissioners. Fraternity and friendship between those who wore the blue and those who wore the gray were strengthened, and peace and reconciliation between the people of the North and South were much benefited.

JAMES B. MCCREARY,
Governor of Kentucky.

A message was received from the Senate announcing that they had adopted the following joint resolution:

S. Res. 1.Resolution inviting Carl C. Plehn, Professor of Economics in the University of California to address the General Assembly at twelve o'clock, Wednesday, January, 1914.

Whereas, Professor Carl C. Plehn, Professor of Economics in the University of California, having been employed as an expert on revenue and taxation by the Tax Commission of the State of Kentucky,

And Whereas, There will be before this session of the General Assembly a bill recommended to said General Assembly by the Tax Commission for the Commonwealth of Kentucky,

And Whereas, said General Assembly desires to have the advice and suggestion of Prof. Plehn, expert of the Commission, touching the provisions of said bill, and the difficulties of the revenue system of the State of Kentucky; Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That Prof. Carl C. Plehn, Professor of Economics in the University of California, be invited to address the General Assembly at twelve o'clock the 7th day of January, 1914, and that a committee of four, two from the House and two from the Senate, be selected by the Lieutenant Governor and Speaker of the House to extend to Prof. Plehn this invitation.

Mr. Hamilton moved that the rules be suspended and that said resolution be taken up for consideration.

Said motion was agreed to.

Said resolution was concurred in.

Mr. Hutchcraft offered the following resolution, viz:

Resolved, That the several Ministers of the Gospel, pastors of the several churches at Frankfort, are hereby requested to attend the opening of the daily sessions of this House and open said sessions with prayer, the times to be determined by said ministers;

That the Sergeant-at-Arms of this House is directed to notify the several ministers of the adoption of this resolution.

Which resolution was adopted.

Mr. Mount offered the following resolution, viz.:

Be it resolved by the House of Representatives:

That the House appoint a Committee, composed of three, to draft suitable resolutions on the death of S. F. Middleton and Greene R. Keller, members of this House at the session of 1912, and also on the death of J. A. Scott, a member who was elected to this session of the General Assembly, and that when this House adjourns today it be out of respect to the memory of the above named deceased former members of this House, and also to the memory of the member-elect, J. A. Scott.

Which was adopted.

Thereupon the Speaker appointed as said committee, Messrs. McDowell, Avery and Oliver.

Mr. W. B. Harvey offered the following motion, viz.:

I move that the Speaker appoint a committee composed of three members of this House, to report tomorrow, the aggregate expense that will be incurred against the State of Kentucky in the event of the adoption of the gentleman's resolution from Mason County, and that said committee request the Attorney General to give to this House a written opinion as to the constitutionality of said resolution and whether he will or will not endorse the payment of the help provided for in said resolution.

Which was agreed to.

Thereupon the Speaker appointed as said committee, Messrs. W. B. Harvey, Hutchcraft and Reed.

James E. Stone, Chief Clerk of this House, announced that there had been received by him, notices of contest and papers relative thereto in the following cases, viz.:

From the counties of Breathitt, Lee and Magoffin,

Irvine Back, Contestant vs. Wallace Bailey, Contestee.

From the County of Grayson,

N. C. Tilford, Contestant vs. Yeaman Watkins, Contestee, and delivered said papers into the custody of the House.

Which were ordered to be filed in the records of the House.

Mr. John C. Duffy moved to reconsider the vote by which the motion heretofore offered by Mr. W. B. Harvey was agreed to.

Pending the consideration of said motion to reconsider.

Mr. Klette moved that the House do now adjourn until tomorrow.

Said motion was agreed to.

WEDNESDAY, JANUARY 7, 1914.

The House was opened with prayer by the Rev. J. R. Ziegler, of the Presbyterian Church, Southern Assembly, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

The House resumed the consideration of the unfinished business from yesterday, to-wit:

The motion of Mr. John C. Duffy to reconsider the vote by which the motion heretofore offered by Mr. W. B. Harvey, was agreed to.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Davis and Greene, were as follows, viz.:

Those who voted in the affirmative were—

Geo. B. Barrett	John F. Fryer	S. Mazyck O'Brien
J. M. Billeter	C. M. Gum	A. J. Oliver
H. C. Blades	Elwood Hamilton	A. W. Palmer
Joseph Boitnott	V. D. Hammond	William A. Perry
Elmer L. Brown	Dr. S. L. Henry	John A. Polin
C. W. Burton	D. H. Hillman	Dr. T. J. Poteet
Glover H. Cary	R. B. Hutchcraft Jr.	J. D. Pumphrey
Ed. F. Cecil	Griffin Kelly	Stanley F. Reed
J. G. Coke	John H. Kleete	W. E. Rogers
John W. Douglas	Simon B. Lott	S. M. Saufley
John Drescher	Dr. J. N. M'Cormack	Adam Spahn
H. C. Duffy	Geo. M. McDowell	Louis Tieman
John C. Duffy	John McDyer	Samuel Turley
William Duffy	W. T. McNally	M. S. Walton, Jr.
Odie Duncan	John G. Miller, Jr.	N. B. White
G. P. Durrett	T. T. Mobley	Roy S. Wilson
M. J. Farris, Jr.	Harry J. Myers	
Ed Frost	C. B. Nichols	—52

Those who voted in the negative were—

Peter Ampler	J. B. Harvey	Dr. W. R. Ray
Henry Avery	W. H. Hays	S. H. Rogers
Wallace Bailey	W. E. Henninger	B. T. Rountree
James W. Barrall	J. J. Huff	A. W. Sharp
Benjamin L. Cox	J. M. Johnson	W. A. Shawler
George T. Davis	T. R. Jones	L. M. Smith
James R. Dorman	William J. Kuh	Ed. D. Stone
W. H. Flippin	J. R. Mount	W. T. Stott
Vert C. Fraser	Zach. L. Myers	James T. Webb
Frank C. Greene	John E. Newman	W. M. Webb
E. V. Hall	Lyman J. Parrigin	John F. White
W. L. Hampton	Lelburn Phelps	J. D. Wills
H. H. Harrington	W. A. Price	Douglas G. Wood
W. B. Harvey	Richard Radcliffe	—41

The question was then taken on the adoption of the motion as offered by Mr. W. B. Harvey on yesterday, and said motion was disagreed to.

Mr. Harry J. Myers offered the following resolution, viz.:

Resolved by the House of Representatives, the Senate concurring therein, that when the two Houses of this General Assembly adjourn today, it be to meet again on Monday, January 12, 1914, at 12 o'clock meridian.

Said resolution was agreed to.

Mr. Reed called up for consideration from the Clerk's desk the joint resolution offered by him on yesterday.

(For said resolution, see yesterday's Journal.)

Mr. Reed offered the following amendment to said resolution by way of substitute therefor, viz.:

Whereas, since the occupation of the new Capitol, it has become necessary to employ more persons in order that the House of Representatives and the Senate may be conducted in a proper manner and expeditiously, and whereas, said business could not and can not be efficiently done by and with the assistance alone of the number of officers and employees provided for in Section 249 of the Constitution and Section 1988 of the Kentucky Statutes; Therefor,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Speaker of the House of Representatives be and is hereby authorized and directed to employ four guards to assist the Doorkeeper at four dollars per day each, and one guard for the Gallery at four dollars per day; one stenographer to the Chief Clerk at five dollars per day; three stenographers to the House at five dollars per day each, said three stenographers to perform all of the stenographic duties that may be required to members of the House or Committees of the House in preparing reports, or drafting substitute bills or amendments to bills; one Bill Clerk at four dollars per day; two Mail Clerks at two dollars and fifty cents per day each; five Messengers at two dollars per day each; one Porter at one dollars and fifty cents per day; one Copyist at five dollars per day; two Messengers to wait upon Committees at two dollars per day each; said Messengers to be in attendance at the meetings of Committees during the regular day sessions of the General Assembly, and also at all evening sessions of said Committees; one Messenger for the Speaker at two dollars and fifty cents per day; two assistants to the Bill Clerk at three dollars per day each; one assistant to Enrolling Clerk at four dollars per day. All of said help to be under the control and direction of the Speaker, unless otherwise ordered by the House, and subject to removal at any time by the Speaker, with the advice and consent of the House. The employments above referred to shall take effect

and be in force from and including the 6th day of January, 1914.

§ 2. The Chairman of the caucus, W. A. Frost, held on January 5, 1914, is hereby authorized, directed and empowered to appoint and shall certify to the President of the Senate, two assistant Doorkeepers at four dollars per day; one Copyist to the Enrolling Clerk at five dollars per day; one Bill Clerk at five dollars per day; one Mail Clerk at five dollars per day; two Messengers at two dollars per day each; one assistant Cloakroom-keeper at three dollars per day; one Reading Clerk at five dollars per day; two stenographers to the Senate at five dollars per day each.

§ 3. That the President of the Senate be authorized to appoint a stenographer to the President at five dollars per day, and stenographer to the Chief Clerk at five dollars per day, and a Messenger to the President at three dollars per day.

§ 4. The President of the Senate and Speaker of the House, shall furnish to the Chief Clerk of their respective Houses, a list of all of said employees, showing their respective appointments, and said President of the Senate and Speaker of the House shall, every five days, furnish to the Clerk of their respective Houses the number of days worked by each and the amount due each of said employees, and upon certification, the Clerk of said House shall draw a voucher for each of said employees, upon the Auditor of Public Accounts, for the amount due each of said employees, and for which the Auditor shall draw his warrant upon the Treasurer, payable to each of said employees respectively, and be paid out of any money in the Treasury, payable to the General Expenditure Fund, not otherwise appropriated.

§ 5. It appearing that the employees referred to herein are necessary to carry on and conduct the business of the House and Senate, an emergency is hereby declared to exist and this resolution shall take effect upon its adoption.

Mr. Saufley moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Douglas moved the previous question on said substitute and resolution.

The Speaker stated shall the main question be now put, and it was decided in the affirmative.

The question was then taken on the substitute amendment as proposed by Mr. Reed, and said substitute was agreed to.

The yeas and nays being required thereon by Messrs. Davis and Mount, were as follows, viz.:

Those who voted in the affirmative were—

Geo. B. Barrett	John F. Fryer	S. Mazyck O'Brien
H. C. Blades	Elwood Hamilton	A. J. Oliver
Joseph Boitnott	V. D. Hammond	William A. Perry
Elmer L. Brown	Dr. S. L. Henry	John A. Polin
C. W. Burton	D. H. Hillman	Dr. J. T. Poteet
Glover H. Cary	R.B.Hutchcraft Jr.	J. D. Pumphrey
Ed. F. Cecil	Griffin Kelly	Stanley F. Reed
J. G. Coke	Dr.J.N.M'Cormack	W. E. Rogers
John W. Douglas	Geo. M. McDowell	S. M. Saufley
John Drescher	John McDyer	L. M. Smith
John C. Duffy	W. T. McNally	Adam Spahn
William . Duffy	John G. Miller, Jr.	M. S. Walton, Jr.
Odie Duncan	T. T. Mobley	Yamen Watkins
G. P. Durrett	Harry J. Myers	N. B. White
M. J. Farris, Jr.	John E. Newman	Roy S. Wilson
Ed Frost	C. B. Nichols	—47

Those who voted in the negative were—

Henry Avery	W. H. Hays	S. H. Rogers
Wallace Bailey	W. E. Henninger	B. T. Rountree
James W. Barrall	J. M. Johnson	A. W. Sharp
Benjamin L. Cox	William J. Kuh	W. A. Shawler
George T. Davis	J. C. Lay	Ed. D. Stone
James R. Dorman	Simon B. Lott	W. T. Stott
H. C. Duffy	C. R. Luker	Samuel Turley
W. H. Flippin	J. R. Mount	James T. Webb
Vert C. Fraser	Zach. L. Myers	W. M. Webb
Frank C. Greene	A. W. Palmer	J. D. Wills
E. V. Hall	Lyman J. Parrigin	M. O. Wilson
W. L. Hampton	Lelburn Phelps	Douglas G. Wood
H. H. Harrington	W. A. Price	
J. B. Harvey	Richard Radcliffe	—42
W. B. Harvey	Dr. W. R. Ray	

The question was then taken on the original resolution as amended by said substitute amendment, and said resolution as amended was then adopted.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Geo. B. Barrett	William Duffy	D. H. Hillman
H. C. Blades	Odie Duncan	R. B. Hutchcraft Jr.
Joseph Boitnott	G. P. Durrett	Griffin Kelly
Elmer L. Brown	Thomas J. Evans	Dr. J. N. M'Cormack
C. W. Burton	M. J. Farris, Jr.	Geo. M. McDowell
Glover H. Cary	Ed Frost	John McDyer
Ed. F. Cecil	John F. Fryer	W. T. McNally
J. G. Coke	Elwood Hamilton	John G. Miller, Jr.
John W. Douglas	V. D. Hammond	T. T. Mobley
John Drescher	J. B. Harvey	Harry J. Myers
John C. Duffy	Dr. S. L. Henry	John E. Newman

C. B. Nichols	J. D. Pumphrey	Adam Spahn
S. Mazyck O'Brien	Stanley F. Reed	M. S. Walton, Jr.
A. J. Oliver	S. H. Rogers	Yamen Watkins
William A. Perry	W. E. Rogers	N. B. White
John A. Polin	S. M. Saufley	Roy S. Wilson
Dr. T. J. Poteet	L. M. Smith	—51

Those who voted in the negative were—

Harry Avery	W. H. Hays	Richard Radcliffe
James W. Barrall	W. E. Henninger	Dr. W. R. Ray
Benjamin L. Cox	J. J. Huff	B. T. Rountree
George T. Davis	J. M. Johnson	A. W. Sharp
James R. Dorman	T. R. Jones	W. A. Shawler
H. C. Duffy	William J. Kuh	Ed. D. Stone
G. P. Durrett	J. C. Lay	W. T. Stott
W. H. Flippin	Simon B. Lott	Samuel Turley
Vert C. Fraser	C. R. Luker	James T. Webb
Frank C. Greene	J. R. Mount	W. M. Webb
C. M. Gum	Zach. L. Myers	J. D. Wills
E. V. Hall	A. W. Palmer	M. O. Wilson
W. L. Hampton	Lyman J. Parrigin	Douglas G. Wood
H. H. Harrington	Lelburn Phelps	
W. B. Harvey	W. A. Price	—42

Mr. Hamilton moved that the vote by which said resolution was adopted be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

Ordered that the title of said resolution be as follows:

H. Res. 1. Resolution for the employment and appointment of certain persons, and for the payment of certain contingent expenses of this General Assembly, and providing the mode of payment thereof.

A message was received from the Senate announcing that they had adopted a resolution entitled:

S. Res. 2. Resolution adopting the rules of the last session until the new rules are made.

Mr. Hamilton moved that the rules be suspended and that said resolution be taken up for consideration.

Said resolution reads as follows, viz.:

Resolved by the Senate, the House of Representatives concurring therein, That in the absence of rules to govern joint sessions of the two Houses, the joint rules governing the General Assembly of 1912 apply until the adoption of joint rules.

Said resolution was concurred in.

Also that they had adopted a joint resolution of the following title:

S. Res. 3. Resolution adjourning the General Assembly until Monday, January 12, 1914, at 12 o'clock meridian.

Said resolution was as follows, viz.:

Resolved by the Senate, the House of Representatives concurring therein, That when the two Houses of this General Assembly adjourn today it be to meet again on Monday, January 12, 1914, at twelve o'clock meridian.

Mr. Hamilton moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was concurred in.

The hour of 12 o'clock meridian having arrived, the hour for the joint order of the day, in accordance with the concurrent resolution adopted on yesterday, viz.:

S. Res. 1. Resolution inviting Carl C. Plehn, Professor of Economics in the University of California, to address the General Assembly at 12 o'clock, Wednesday, January 7, 1914.

The Senate of Kentucky in order entered upon and took seats on the floor of the House of Representatives for the purpose of the execution of said joint order.

At the close of the address delivered by the said Carl C. Plehn, the Senate retired and the Speaker of the House resumed the chair, and the House was in order.

Mr. Hamilton offered the following joint resolution, viz.:

H. Res. 3. Resolution instructing our Senators and requesting our Representatives in the Congress of the United States to urge the selection of the City of Louisville as one of the Reserved Cities under the Federal Reserve Act of the Congress of the United States.

Said resolution is as follows, viz.:

Whereas, under the Federal Reserve Act of the Congress of the United States, there are to be not less than eight nor more than twelve cities selected as Federal Reserve cities;

Whereas, the Reserve Bank Organization Committee is now engaged in selecting such cities;

Whereas, it would be the best interest of the State of

Kentucky for the City of Louisville to be selected as one of said reserve cities, and it is admirably adapted for said purpose by reason of being the nearest large city to the center of population, the most centrally located city in the Ohio Valley, the center of transportation between the North and South, and, in addition, is located in the district which annually pays to the United States the third largest amount in revenue collections; now, therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky, That they do hereby endorse the efforts of the citizens of this State to obtain the selection of the City of Louisville for said purpose and call upon the Senators and Representatives in Congress from this State to lend their assistance in said matter.

It is further resolved that a copy of this resolution be sent to each of the Senators and Representatives from this State, and, also, to the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency.

Said resolution was agreed to.

Mr. Miller moved that the House do now proceed to the selection of a Contest Board in each of the contested election cases as reported by the Clerk of the House on yesterday, and that each of said Boards shall consist of seven members.

Said motion was agreed to.

The roll of the House was called, and the following members responded to their names as being present, viz.:

Harry Avery	Glover H. Cary	J. G. Coke
Wallace Bailey	Ed. F. Cecil	Benj. L. Cox
James W. Barrall	Joseph Boitnott	George T. Davis
Geo. B. Barrett	Elmer L. Brown	James R. Dorman
H. C. Blades	C. W. Burton	John W. Douglas

John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. H. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
W. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
T. R. Jones
Griffin Kelly
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lelburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Samuel Turley
M. S. Walton, Jr.
Yamen Watkins
James T. Webb
W. M. Webb
N. B. White
J. D. Wills
Roy S. Wilson
Douglas G. Wood

—90

The Speaker then announced that the House would now proceed according to law and pursuant to the motion above set out to select by lot seven of its members to constitute a Board to determine the contest to the right of a seat in this House as Representative from the Representative District composed of the counties of Breathitt, Lee and Magoffin of Irvine Back, contestant, versus Wallace Bailey, contestee.

The names of the members present were written on separate pieces of paper, rolled and placed in a box by the Clerk, in the manner provided by law, who, after the same

had been well shaken, drew the names of seven members of the House therefrom, separately, which were opened and read aloud by the Speaker of the House, viz.: Messrs. John McDyer, W. L. Hampton, J. Guthrie Coke, Jr., J. R. Mount, Ed. F. Cecil, S. H. Rogers and Geo. McDowell.

Whom the Speaker declared selected as members of said Board.

Thereupon the said members of said Board appeared at the bar of the House and the oath of office was administered to them by the Speaker, as required by law.

The Speaker then announced that the House would now, in like manner, proceed to select a Board to determine the contest to the right to a seat in this House as Representative from the Representative District composed of the county of Grayson, of N. C. Tilford, contestant, versus Yeaman Watkins, contestee.

The House then proceeded in manner and form as above named, and the following names were drawn, viz.: Messrs. Richard Radcliffe, J. Lyman Parrigan, Frank C. Green, John F. Fryer, C. W. Burton, D. H. Hillman and J. D. Pumphrey.

Whom the Speaker declared as duly selected as members of said Board.

Thereupon the members of said Board appeared at the bar of the House and the oath of office was administered to each by the Speaker, as required by law.

Mr. Oliver suggested that the Hon. J. A. Scott, who was elected on November 5, 1913, as Representative from the County of Greenup, departed this life after his election and before the first day of January, 1914, and, therefore, asked

that the Speaker order an election to be held to select a Representative from the County of Greenup in the place of the said J. A. Scott.

Mr. Reed moved that the House do now adjourn.

Said motion was agreed to.

And then in accordance with the concurrent resolution adopted by the two Houses of the General Assembly, the House stood adjourned until Monday next, January 12th, at 12 o'clock meridian.

MONDAY, JANUARY 12, 1914.

The House opened with prayer by the Rev. F. W. Eberhardt of the First Baptist Church of the City of Frankfort.

The reading of the Journal of the proceedings of Wednesday last was dispensed with.

Mr. Smith offered the following resolution, viz.:

Whereas, in the wisdom of the disposer of human events, He has seen fit to remove from mortal concerns, a central figure in the affairs of our Commonwealth, and of our Nation, General Simon Bolivar Buckner, who was distinguished to a remarkable degree as scholar, statesman, soldier, Governor of the State, candidate for the Vice-Presidency of the United States, once detailed for service in his Alma Mater, the West Point Military Academy, a brace officer in the Mexican War, where his standard was found in the forefront, wherever daring had to be displayed and danger confronted breveted for gallantry at Contreras and at Churubusco, pro-

moted in the Confederate Army from Brigadier General to Major General, and, later, to Lieutenant General, loving husband and father, he was held in sincere affection by a Statewide, yea, Nationwide, circle of friends and admirers; now, therefore,

Be it Resolved, That we as a representative body of our constituency, humbly bow in submission to the will of Divine Providence, in this dispensation, by which He has removed from our midst, and called to his reward on high, this Christian gentleman, full of years and of the honors of this world.

Further, be it Resolved, That in their bereavement we enter in deep sympathy with his sorrowing family; and that these resolutions be spread upon the Journal of the House, and that a copy of them be conveyed to his widow and son, and, when the House adjourns today, it be in respect to his memory.

Said resolution was adopted.

Mr. McCormick offered the following joint resolution, viz.:

H. Res. 4. Resolution relating to use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington.

Whereas, the Congress of the United States has made an appropriation of two million dollars for the erection of a Memorial Building to the memory of Abraham Lincoln, one of Kentucky's most distinguished sons, and the Secretary of War has announced a public hearing upon the selection of the material of which it is to be built, at his office, in Washington, on next Saturday, the 17th inst., and,

Whereas, it would be most appropriate and fitting that such a memorial to one of Kentucky's native sons should, unquestionably, all other things being equal, be constructed of the characteristic stone of his native State, and,

Whereas, "The Bowling Green White Stone," unrivalled

in quality and inexhaustible in quantity, is one of the durable to be found in the Union, whitening and growing more beautiful with age, where others deterioate, and is peculiarly adapted in every way for use in the erection of such a great monument as that provided by this Congressional appropriation, as demonstrated by its use in one of the most magnificent churches in America, Saint Thomas, 53rd Street and Fifty Avenue, New York; one of the largest and finest Club Houses in America, the Manufacturer's Club, Philadephia; one of the handsomest and most expensive private residences in this country, the Everett House, Sheridan Circle, Washington, and the beautiful and just completed Governor's Mansion, at Frankfort; together with numberless Post Offices and other Government Buildings all over the Union, in the construction of which all of the rigid requirements of the Supervising Architects Bureau of the United States Treasury Department were fully met by this stone; Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That each and all of the Senators and Representatives in Congress from this State be requested to press upon the attention of the President, of Congress, the Secretary of War, and the Commissioners having in charge the erection of the Lincoln Memorial Building, the especial fitness and appropriateness of constructing the Memorial to this great son of Kentucky, of this remarkable stone of his native State; and that the Secretary of State be requested and directed to transmit to the President of the United States, to the Secretary of War, to each of the Commissioners of the Lincoln Memorial, and to each of the Senators and Representatives in Congress from Kentucky, and later to all of the Senators and Representatives in Congress, a duly attested copy of this resolution, immediately upon its passage and approval by the Governor, and the Lieutenant Governor and Speaker are hereby authorized to designate and appoint one member of

this General Assembly to represent it at the hearing before the Secretary of War on Saturday next.

Mr. McCormick moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was adopted.

Mr. Ray offered the following resolution, viz.:

Be it Resolved, That the State Inspector and Examiner, the Honorable Sherman Goodpaster be, and is hereby authorized to furnish to the House of Representatives of the State of Kentucky a printed copy of all of his reports on the various institutions of this Commonwealth.

Mr. John C. Duffy offered the following amendment to said resolution by way of substitute therefore. Said substitute amendment reads as follows:

Be it Resolved by the House of Representatives:

That the State Inspector and Examiner be and he is hereby requested to furnished the members of this House, at the earliest possible date, reports of all expenditures by each department of the State Government, showing the amounts paid for salaries and for other purposes, and to whom paid, and on what account. Also reports of receipts and disbursements of all State Institutions or Institutions supported in whole or in part by this State, and not heretofore reported by him.

Said substitute amendment was agreed to.

Said resolution as amended by said substitute was then adopted.

Mr. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

The Speaker of the House, under and by virtue of a resolution adopted on Wednesday last, announced the appointment of the following as a Committee on Rules for and during the present session, viz.:

Messrs. Elwood Hamilton, John F. White, J. N. McCormick, Matt S. Walton, John C. Duffy, J. Guthrie Coke, Jr., John E. Newman, Glover H. Cary, John G. Miller, Jr., W. M. Duffy, and Claude B. Terrell, Speaker and Ex-officio Chairman.

Mr. Hamilton moved that the House do now recess until seven o'clock this evening.

Said motion was agreed to.

NIGHT SESSION, 7 O'CLOCK.

The House met pursuant to recess taken.

Mr. Hamilton of the Committee on Rules offered the following report, viz.:

The Committee on Rules respectfully report to the House the accompanying rules for its government during the present session.

Quorum of the House.

Rule 1. Five members of the House shall constitute a quorum for the purpose of adjourning; fifteen members for the purpose of calling a House, of sending for absent mem-

bers and of making an order for their censure and fine; a majority of the members may proceed to business and the numbers mentioned in this rule shall have power in the absence of the Speaker, to elect a Speaker Pro Tem for the purposes above designated.

Hour of Meeting and Adjournment.

Rule 2. The standing hour of meeting each day shall be nine o'clock A. M., standard time, and the standing adjournment shall be 1:30 o'clock P. M., except on Monday, when the hour of meeting shall be twelve o'clock Meridian, and the hour of adjournment 2 P. M. Provided, however, that a majority of the House may elect to hold extra sessions at any time and extend the sitting of any session to any time within their discretion.

The Powers and Duties of the Speaker.

Rule 3. The Speaker shall take the Chair every day at the hour to which the House adjourned on the preceding day; he shall immediately call the members to order, and, a quorum being present shall cause the Journal of the preceeding day to be read.

Rule 4. He shall preserve decorum and order and in case of disturbance or disorderly conduct in the gallery or lobbies may cause the same to be cleared. He shall have general control, except as provided by rule or law, of the hall of the House and of the corridors and passages, of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further ordered. He may speak to points of order in preference to other members, rising from the Chair for that purpose. He shall decide questions of order, subject to an appeal from the House on request of any two members, and the members appealing shall reduce the appeal to writing.

The Speaker shall have supervision over the Clerks, Sergeant-at-Arms, Doorkeeper, Janitor, Pages, or other employees of the House, and shall direct them as to their duties, and upon the failure of any of such officials to perform his duties, the Speaker shall have power to impose a fine upon such offender, not to exceed the per diem of such official or employe for each offense. Such fine shall be entered upon the Journal and deduction from the compensation due such offender.

Rule 5. The standing committees of the House, herein named, shall be appointed by the Speaker.

Rule 6. The Speaker may state questions sitting, but shall rise to put a question.

Rule 7. Questions shall be distinctly put in this form, viz.: "Gentlemen, you who are of the opinion that (as the question may be), say "aye;" you of the contrary opinion say "nay."

Rule 8. If the Speaker be in doubt as to the result of a vote, or a division be called for, the House shall divide; those in the affirmative of the question shall rise from their seats and, afterward, those in the negative. If the Speaker be still in doubt, or a count be requested the Speaker shall name two members, one from each side, to count those in the affirmative and the negative; which, being reported, he shall rise and state the decision of the House: Provided, however, that such decision or count shall not be allowed after the House shall have proceeded to other business.

Rule 9. The Speaker shall have the right to name any member to perform the duties of the Chair, but such Speaker pro tem shall not be empowered to act beyond a period of five days.

Rule 10. No person shall be permitted upon the floor of the House except the Governor, Lieutenant Governor, members of the Senate, Auditor, Treasurer, Attorney General, Secretary of State, Superintendent of Public Instruction, Commissioner of Agriculture, Clerk of the Court of Appeals,

such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation previously extended by vote of the House, and it shall be the duty of the Doorkeeper to exclude all persons not entitled to the floor of the House Chamber. If, however, other persons find their way to the floor, it shall be the duty of the Sergeant-at-Arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-Arms shall clear the floor of the House Chamber of all persons not entitled to the floor, and shall announce in a loud and distinct voice, "All persons not entitled to the floor of the House under the rules thereof will now vacate the House Chamber." He shall then compel each and every person then in the House Chamber, who is not entitled to remain therein, to vacate.

Debate.

Rule 11. When a member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker of the House as "Mr. Speaker," but shall not proceed until recognized by the Speaker.

Rule 12. If any member, in speaking, or otherwise, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call the offender to order; and the member called to order shall immediately sit down unless permited to explain, and the House, if appealed to, shall decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if against him, and the case require it, he shall be liable to the censure of the House.

Rule 13. When two or more members rise at once, the Speaker shall name the member who is first to speak.

Rule 14. No member shall speak more than twice on the same questions without leave of the House, and he shall not speak more than once until every member of the House choosing to speak has spoken. No member shall be allowed to speak longer than one hour in the aggregate.

Rule 15. While the Speaker is putting any question or addressing the House, no one shall walk about the House, or leave; neither, in such case, nor when a member is speaking, shall any one walk or pass between the Chair and the member who is speaking.

Rule 16. No member shall, in debate, name another member.

Undebatable Motions.

Rule 17. Motions to proceed or dispense with the orders of the day, to dispense with any rule of the House, to take up business out of its regular order, to commit or recommit, except with instruction, shall be propounded without debate.

Rule 18. No explanation of any vote shall be permitted pending the call of the yeas and nays on an undebatable motion.

Withdrawal of Motions.

Rule 19. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed in the possession of the House, but may be withdrawn by the consent of the House, at any time before a decision or amendment.

Motions.

Rule 20. After a motion is made and seconded it shall be stated by the Speaker, or, being in writing, shall be handed to the Chair and read aloud by the Clerk before debate.

Rule 21. Every motion shall be reduced to writing, if the Speaker or any member desire it.

Order of Motions in Debate.

Rule 21. Every motion shall be reduced to writing, if shall be received, but;

1. To fix the time to which the House shall adjourn.
2. Adjourn.
3. To lie on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit or postpone indefinitely, being decided, shall be again allowed on the same day and at the same stage of the bill or proposition.

Motion to Adjourn.

Rule 23. A motion to adjourn shall always be in order except during roll call or pending a motion to fix the time to which the House shall adjourn, and shall be decided without debate.

Previous Question.

Rule 24. The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put. The effect of the previous question shall be to put an end to all debate, except on the final passage of the measure under consideration, then the opponents of the measure shall have ten minutes to debate the proposition and the proposer of the measure shall be limited to ten minutes to close the debate, unless his time

be extended by consent of the House to a direct vote on amendments proposed by a committee, if any; then on pending amendments, and all amendments which have been read for information of the House by the Clerk shall be regarded as pending amendments, and then upon the main question.

Divisions of Questions.

Rule 25. Any member may call for a division of the question when the sense will admit of it.

Commitment of Motions.

Rule 26. Motions and reports may be committed at the pleasure of the House. (See Rule 17.)

Amendments.

Rule 27. No motions or propositions on a subject different from that under consideration shall be admitted under color of amendment.

Elections.

Rule 28. In all cases of elections there shall be a previous nomination before the House.

Petitions, Memorials, Etc.

Rule 29. Petitions, Memorials, and other papers addressed to the House may be presented by any member in his place; and in such case he shall briefly state the contents of said petitions, memorials and other papers, and which may be received, read and referred on the same day, by agreement of the House.

Call of Yeas and Nays.

Rule 30. Upon a call of the yeas and nays on any question, the names of the members shall be called alphabetically, which shall be made at any time when a division or a court may be had, and upon the completion of any roll call the Speaker shall, upon the request of any member, order the Clerk to call the absentees once.

Call of the House.

Rule 31. On a call of the House the door shall not be shut against a member until his name is called twice, and, then, absentees shall be noted by the Clerk, and fined one dollar, unless excused by the House.

Voting.

Rule 32. No member shall vote on any question in which he is directly or indirectly interested, or on any question unless he was within the bar of the House before the result was announced.

Rule 33. Every member in the House when a question is put, or present before the result is announced, shall vote, unless excused by the House; and all motions to excuse a member from voting shall be made before the House divides or before the call of the yeas and nays is commenced; and the motion or question to excuse a member shall be decided without debate, and in no event shall any member be excused from voting on a motion to excuse another member from voting. But this rule shall not apply to the Speaker, whose name shall not be called except on his own request, and, then, only at the end of the roll call, and before the result is announced; but in all cases of a tie the Speaker shall vote.

Order of Business.

Rule 34. The order of business each day shall be as follows:

1. The reading of the Journal of the preceding day, and the correction of any errors that may be found to exist therein.
2. Petitions.
3. Motions and resolutions, limited to one hour.
4. Reports of special and standing committees in the order as given in Rule 40.
5. The orders of the day, which shall be called at 12 o'clock each day.
6. Any business which did not belong to the orders of the day, and which remains unfinished upon the adjournment of the House, or upon the calling of the standing orders of the day, shall be the first business in order each day, upon the convening of the House. Any business which belongs to the standing orders of the day, which remains unfinished upon the adjournment of the House, shall be the first business when the orders of the day are resumed.

Introduction of Bills.

Rule 35, Subdivision 1. Bills or joint resolutions may be introduced by any member at any time when the House is in session by depositing them in a locked receptacle provided for that purpose at the Speaker's desk, with the title endorsed on the back thereof in a plain, legible hand, and also showing the author thereof; and these shall be taken therefrom, under the direction of the Speaker, in the presence of any member who desires to be present, and by him referred to the committees having charge of the subject matter to which they relate without suggestion from the author, or any other person. Said bills and joint resolutions shall be delivered by the Speaker to the Clerk of the House, and said Clerk shall number them

and enter them by title on the Journal. As soon as possible thereafter the Clerk shall deliver them to the Superintendent of Public Printing. The Contractor of Public Printing shall print bills, as far as may be, in the order in which they are numbered and shall place all printed bills of less than ten pages on the desks of members within five days from the time he received them, and all other bills within seven days, or forfeit to the Commonwealth the sum of fifty dollars for each bill for each day it is delayed over the time stated, but within the last ten days of the session the House may shorten the time for returning bills as may seem necessary to expedite its business.

Subdivision 2. Upon the report of a bill or joint resolution by any committee, the Clerk shall report the same in full, which shall be considered the first reading of the bill or joint resolution, and shall be so entered upon the Journal. Any standing or special committee may originate a bill and introduce the same, when it shall have its first reading and be ordered printed.

Subdivision 3. The Clerk shall keep a register of all bills introduced in the House, or transmitted for concurrence from the Senate, in which shall be recorded under appropriate heads, the progress of such bills from the date of their introduction to the time of their transmission, if House bills, to the Governor, or, if Senate bills, their return to the Senate.

Subdivision 4. When a bill has had its first reading it shall be placed by the Clerk in a calendar to be kept by him, and said calendar shall be separate from the bills in the orders of the day. Each day when the House enters into the consideration of the orders of the day, the Clerk shall take up the calendar and give all bills therein their second reading, except such as have been placed there upon that day.

Rule 36. When a bill has been read the second time it shall be placed in the orders of the day or recommitted, and when next reached in the House, it shall be ready for amend-

ment, recommitment or debate, or to be read a third time and placed upon its passage. A bill may be recommitted at any time before its passage.

Rule 37. When a bill shall have been referred to any committee, it shall be the duty of the chairman of such committee to submit the bill to the consideration of his committee, and such committee shall make such amendments to said bill as it may deem proper, and report said bill to the House with such amendments. A majority of the members of a committee shall be present before a bill may be considered. No bill shall be considered or a report on same determined upon, except when the committee is in session. A committee in reporting a bill to the House shall make its report in writing, and such report shall be signed by a majority of such committee, but after said majority report has been made the minority may make its report, which shall also be in writing and signed by the members of the committee making such report. Bills shall not be engrossed except by order of the House; and the style of every bill shall be: "Be it enacted by the General Assembly of the Commonwealth of Kentucky." Provided, however, that no committee shall hold, or refuse to report a bill for an unreasonable time, and if same shall not be reported in a reasonable time, the said bill may be called up by any member of the House and be considered in the same manner it would have been considered if it had been reported without expression by such committee.

Rule 38. When a bill passes, it shall be certified by the Clerk, who, at the foot thereof, shall note the day on which it passed.

Suspension of the Rules.

Rule 39. The standing rules of the House and the regular order of business shall not be suspended, amended, or interrupted unless by a vote of a majority of the members elected. Provided, however, that this rule shall not prevent, by a majority vote, the suspension or postponement of any

special order, or of the standing orders of the day for the purpose of completing or continuing the consideration of any measure pending at the time such special or standing order may be reached.

Standing Committees.

Rule 40. The following shall be and constitute the standing committees of the House of Representatives, and each committee shall be composed of nine members, except the Committee on Rules, which shall consist of thirteen members, and on Revenue and Taxation, which shall be composed of twelve members and on Enrollments, which shall have five members:

Agriculture.
Alcoholic Liquor Traffic.
Appropriations.
Assignment of Committee Rooms.
Banks and Banking.
Compensation for Industrial Injuries.
Constitutional Amendments.
Corporate Institutions.
Commerce and Manufacturing.
Claims.
Classification of Cities and Towns.
Court of Appeals.
Circuit Courts.
County and City Courts.
Codes of Practice.
Criminal Law.
Charitable Institutions.
Cities of the Fourth Class.
Cities of the Fifth and Sixth Class.
Confederate Home.
Executive Affairs.

Education No. 1.
Education No. 2.
Enrollments.
Equal Suffrage.
Federal Relations.
Fish and Game.
Forestry.
Geological Survey.
Internal Improvements.
Immigration and Labor.
Insurance, Fire and Marine.
Insurance, Life and Accident.
Interurban and City Railways.
Judiciary.
Kentucky Statutes.
Juvenile Courts and Children's Home.
Land Titles.
Legislative Accounts.
Military Affairs.
Mines and Mining.
Municipalities.
Printing.
Propositions and Grievances.
Public Library.
Public Offices.
Public Health.
Public Roads and Highways.
Public Ditches and Fences.
Public Bridges.
Public Utilities.
Public Warehouses and Granaries.
Public Monuments and Historical Records.
Racing Commission.
Railroads.
Revenue and Taxation.

Retrenchment and Reform.
Redistricting, Legislative.
Redistricting, Congressional.
Redistricting, Judicial.
Pure Food.
State Capitol.
State Fair.
Suffrage and Election.
Sinking Fund.
State Prisons and House of Reform.
State University and Normal Schools.
Tuberculosis.
Ways and Means.
Rules.

And it shall not be competent for the House by vote or otherwise to add any one to the membership of either of said committees; but a vacancy from any cause may be filled by appointment by the Speaker.

Rule 41. The Committee on Enrollments may report at any time when not excluded by a privileged motion; Provided, that when any committee shall have occupied the morning hour on two days, it shall not be in order for such committee to report further until the other committees are called. And, provided, also, that no bill shall be reported by any committee which was introduced after said committee began to report.

Committee of the Whole.

Rule 42. It shall be the standing order of the day throughout the session for the House to resolve itself into a Committee of the Whole House on the state of the Commonwealth.

Rule 43. When a bill or other matter is committed to a Committee of the Whole House, the question of going into the Committee of the Whole shall be first in the order of the day.

Rule 44. In Committee of the Whole House, bills shall be read and debated by sections, leaving the preamble and the title to be the last considered.

Rule 45. All amendments made to an original House bill or resolution in Committee of the Whole House shall be incorporated in the original and so reported.

Rule 46. All questions, whether in the committee or in the House, shall be disposed of in the order in which they are moved, except that in filling blanks the largest sum and the most remote day shall be put first.

Rule 47. The rules of the House shall be observed in committee when applicable, except the rule limiting the time of speaking.

Fines.

Rule 48. All fines imposed on absentees shall be collected by the Sergeant-at-arms and covered into the Treasury.

Clerk's Duty.

Rule 49. The Clerk or Assistant Clerk shall report all bills or resolutions to the Senate unless otherwise ordered by the House.

Rule 50. No member or other person shall remain by the Clerk's desk when the yeas and nays are being called.

Rule 51. All bills and joint resolutions originating in the Senate and reported to this House as passed therein, shall be read by their titles, when the Speaker shall refer them to appropriate committees.

Duties of the Enrolling Clerk.

Rule 52. The Enrolling Clerk and the Assistant Enrolling Clerk of the House shall each day call upon the Clerk and, when not engaged in enrolling bills, shall perform such

duties as he may direct, take charge of all House bills as soon as they are reported back to the House and ready to be enrolled; keep an accurate account of and carefully preserve all of them; cause them without delay to be plainly and legibly enrolled without blots, erasures or interlineations, and present the same when enrolled to the Committee on Enrollments, who shall immediately report them to the House for comparison and the signature of the Speaker; and when signed by the Speaker of the House, the Enrolling Clerk shall deliver them at once to the Senate or such committee as may be authoried to receive them in that body. All original House bills shall be returned by the Enrolling Clerk to the Clerk of the House at the time of signing of the enrolled bills, and the Clerk of the House shall carefully preserve them.

Doorkeepers and Sergeant-at-Arms.

Rule 53. The Chief Clerk or his Assistant, the Doorkeeper, the Sergeant-at-arms, and all employes under them shall be in the House thirty minutes before the hour for the House to convene, and five minutes before the hour for the meeting of the House each day, the doorkeeper and Sergeant-at-arms shall see that the floor of the House is cleared of all persons, except those privileged to remain. (See rule 10). And the Sergeant-at-arms is empowered to deputize as many Assistant Sergeant-at-arms as he may deem necessary to carry out the order of the Speaker under Rule 4 of these rules.

Motion to Reconsider.

Rule 54. A motion to reconsider any action of the House shall be in order if made in open session for a period of three days, Sundays included, from the time said vote was taken; but such motion shall not be in order after action has been had by the House in consequence of the decision proposed to be reconsidered, or after it has been sent to the Senate or Governor.

General Provisions.

Rule 55. On all questions not provided for in the foregoing rules, the House shall be governed by parliamentary law or usage; Provided, the author of any measure shall have five minutes time in which to explain upon a motion to lay on the table.

Rule 56. Whenever any committee shall report to the House a bill with the expression of opinion that it should not pass, said bill shall not be entitled to a reading unless it is ordered by a vote of the House; and upon the question whether or not said bill shall be read, the report of the committee to the contrary notwithstanding, no debate shall be allowed, except that the originator of the bill or any one indicated by him, shall have ten minutes in which to explain the bill; and any one member of the committee who favors the report of the committee may have a like time in which to explain the action of the committee, and then if said bill shall be ordered to a reading it shall be read the first time in full and recommitted or placed in the calendar.

Appropriations.

Rule 57. No bill or resolution appropriating money shall come up for final action in the House until it has been referred to and reported upon by the Committee on Appropriations.

Rule 58. During the last ten days of the session the Committee on Rules shall have the power at any time to call from the orders of the day any bill or resolution and propose the same to the House for consideration and should the House decide by vote to consider it, it shall be submitted for passage, The Committee shall be authorized to call from other Committees any bill or resolution in their hands and have them advanced to the reading to which the bills may be entitled. Provided, however, that for the first eight days thereof the said committee shall in its discretion cause to be posted one day

prior thereto a list of bills and resolutions which are to be called, but said committee may withdraw from said list any bills or resolutions so posted, but shall not be permitted to substitute any other bill or resolution therefor.

Rule 59. If any bill, motion or resolution has been by vote carried or lost, and a motion is made to reconsider the vote by which the bill, motion or resolution was carried or lost, and said motion to reconsider is laid upon the table, then no further motion shall be entertained relative to said bill, motion or resolution, unless by the unanimous consent of the House.

Rule 60. All pairs announced in the House shall be entered on the Journal.

Rule 61. When the roll is being called on any proposition and the hour of adjournment arrives, the time for adjournment shall be extended until said roll call has been completed and the result announced.

Rule 62. Five hundred copies of these rules shall be immediately printed for the use of the General Assembly.

CLAUDE B. TERRELL,
Speaker and Ex-Officio Chairman.
ELWOOD HAMILTON.
JOHN F. WHITE.
J. N. MCCORMICK.
MATT S. WALTON.
JOHN C. DUFFY.
J. GUTHRIE COKE.
JOHN E. NEWMAN.
G. H. CARY.
JOHN G. MILLER, JR.
WM. M. DUFFY.

Mr. Harry J. Myers moved to amend said report by striking out rule No. 10, and insert in lieu thereof the following as Rule 10:

Rule 10. No person shall be permitted upon the floor of

the House except the Governor, Members of the Senate, such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation of the House previously extended by vote of the House, and it shall be the duty of the Doorkeeper to exclude all persons not entitled to the floor of the House Chamber. If, however, other persons find their way to the floor, it shall be the duty of the Sergeant-at-arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-arms shall clear the floor of the House Chamber of all persons not entitled to the floor, and shall announce in a loud and distinct voice, "All persons not entitled to the floor of the House under the rules thereof will now vacate the House Chamber." He shall then compel each and every person then in the House Chamber, who is not entitled to remain therein to vacate.

Said proposed amendment was agreed to.

Mr. John C. Duffy moved to amend said report by striking out subdivision 1 of Rule 5, and inserting in lieu thereof the following: Subdivision 1: On each day after the first order above named in Rule 34, there shall be a call of the counties and Representative districts for the introduction of bills and joint resolutions, which shall be privileged and take precedence of all other business of the House; Provided, that the orders of the day be called for precisely at 12 o'clock on each day; and, provided, further, that upon the call of counties on the days provided for the presentation of bills, in the event every county shall not have been called, the Clerk shall, on the next day, commence the call where he left off at the last call.

On the call of each county and Representative district, the member from said county shall arise from his seat and addressing the Chair, send to the Clerk's desk any bill or bills

or joint resolution which he wishes to introduce, with the title thereof indorsed thereon in a plain and legible hand, which bill or joint resolution shall be read by its title, and thereupon the Speaker shall order the same to be printed and refer the same to its appropriate committee for consideration, and report, and from such order of reference by the Speaker the member introducing the bill may appeal to the House if he so desires. All bills shall be printed and distributed in the order in which they are introduced, and the usual number of copies of the same shall be printed for the use of the members of the Senate and House.

Said amendment was agreed to.

The yeas and nays being required thereon by Messrs. Hamilton and Mobley, were as follows, viz.:

Those voting in the affirmative were—

Wallace Bailey	J. B. Harvey	Richard Radcliffe
Geo. B. Barrett	W. B. Harvey	Dr. W. R. Ray
J. M. Billeter	W. E. Henninger	W. E. Rogers
Elmer L. Brown	J. J. Huff	B. T. Rountree
C. W. Burton	J. M. Johnson	S. M. Saufley
Benjamin L. Cox	T. R. Jones	W. A. Shawler
George T. Davis	Griffin Kelly	L. M. Smith
John W. Douglas	William J. Kuh	Adam Spahn
H. C. Duffy	J. C. Lay	Ed. D. Stone
John C. Duffy	Simon B. Lott	W. T. Stott
Odie Duncan	C. R. Luker	Louis Tieman
G. P. Durrett	Geo. M. McDowell	Samuel Turley
Thomas J. Evans	W. T. McNally	Yamen Watkins
M. J. Farris, Jr.	Harry J. Myers	James T. Webb
W. N. Flippin	Zach L. Myers	W. M. Webb
Vert C. Fraser	S. Mazyck O'Brien	N. B. White
Frank C. Greene	A. J. Oliver	J. D. Wills
C. M. Gum	Lyman J. Parrigin	M. O. Wilson
E. V. Hall	Lilburn Phelps	Douglas G. Wood
W. L. Hampton	John A. Polin	
H. H. Harrington	J. D. Pumphrey	—61

Those who voted in the negative were—

Henry Avery	Elwood Hamilton	John E. Newman
James W. Barrall	V. D. Hammond	C. B. Nichols
H. C. Blades	H. H. Hays	A. W. Palmer
Joseph Boitnott	D. H. Hillman	William A. Perry
Glover H. Cary	R.B.HutchcraftJr.	Dr. J. T. Poteet
Ed. F. Cecil	John H. Kleete	Stanley F. Reed
J. G. Coke	Dr.J.N.M'Cormack	S. H. Rogers
James R. Dorman	John G. Miller, Jr.	M. S. Walton, Jr.
John Drescher	T. T. Mobley	John F. White
William Duffy	J. R. Mount	Roy S. Wilson

—30

Mr. John C. Duffy moved that the vote by which said amendment was agreed to be reconsidered.

Said motion was disagreed to.

Mr. Carey moved to amend said report as follows:

Insert as Rule 63 the following:

"The Secretary to the Governor shall be permitted upon the floor of this House at any and all times."

Said amendment was agreed to.

Mr. H. C. Duffy moved to amend said report by inserting as Rule 64 the following, viz.:

"Before a vote shall be counted, the member casting it, shall be either at his seat or visibly approaching it."

Said amendment was agreed to.

Mr. Hamilton moved that said report of the Committee on Rules, as amended, be adopted.

Said motion was agreed to.

A message was received from the Governor, in writing, as follows, viz.:

Executive Department.

Frankfort, January 12, 1914.

To the House of Representatives of Kentucky:

In accordance with Chapter 45, Session Acts of 1912, I now transmit for your information the report of the Kentucky Board of Commissioners to the Panama-Pacific International Exposition.

Respectfully,

JAMES B. MCCREARY,

Governor.

Ordered that said report and message be printed for the use of the members, and referred to the Committee on Appropriations.

The Speaker announced his appointment of the following as the standing committees of the House for this session, viz.:

AGRICULTURE—Maurice J. Farris, Chairman; A. W. Palmer, D. H. Hillman, W. A. Shawler, John F. Fryer, James R. Dorman, W. L. Hampton, Richard Radcliffe, V. D. Hammond.

APPROPRIATIONS—Shelton M. Saufley, Chairman; Stanley F. Reed, J. N. McCormack, Mazyck S. O'Brien, Maurice J. Farris, C. B. Nichols, Roy S. Wilson, T. R. Jones, Lelburn Phelps.

ASSIGNMENT OF COMMITTEE ROOMS—Henry Avery, Chairman; Geo. B. Barrett, Henry C. Blades, Elmer L. Brown, G. P. Durett, H. C. Duffy, Thod. J. Evans, C. M. Gum, Douglas G. Wood.

BANKS AND BANKING—Reuben B. Hutchcraft, Jr., Chairman; W. A. Price, Stanley F. Reed, Frank C. Greene, Thos. J. Evans, Ed. F. Cecil, Griffin Kelly, Ben L. Cox, L. A. Parrigin.

ALCOHOLIC LIQUOR TRAFFIC—W. L. Hampton, Chairman; A. W. Palmer, J. R. Mount, T. T. Mobley, Louis Tieman, D. H. Hillman, W. E. Rogers, Geo. B. Barrett, Elmer L. Brown.

COMMERCE AND MANUFACTURING—Adam Spahn, Chairman; Odie Duncan, H. C. Duffy, James R. Dorman, T. J. Poteet, Louis Tieman, John H. McDyer, Walter E. Henninger, W. M. Webb.

CLAIMS—Ed. F. Cecil, Chairman; Peter Ampler, James W. Barrall, William Duffy, Odie Duncan, John F. Fryer, S. H. Rogers, A. W. Sharp, N. B. White.

CLASSIFICATION OF CITIES AND TOWNS—T. R. Jones, Chairman; Griffin Kelly, J. D. Wills, Samuel Turley, W. E. Rogers, Odie Duncan, W. T. Stott, Ed. Frost, J. B. Harvey.

COURT OF APPEALS—John L. Klette, Chairman; Glover H. Cary, Wm. A. Perry, John W. Douglas, George B. Barrett, W. T. McNally, Frank C. Greene, Walter N. Flippin, B. T. Rountree.

CIRCUIT COURTS—C. W. Burton, Chairman; Frank C. Greene, Vert C. Fraser, John H. Klette, G. B. Barrett, T. T. Mobley, W. L. Hampton, Ed. Stone, A. J. Oliver.

CORPORATE INSTITUTIONS—H. C. Duffy, Chairman; John C. Duffy, Elmer L. Brown, Mat S. Walton, Jr., J. W. Barrall, Ben L. Cox, G. T. Davis, Yeaman Watkins, N. B. White.

COUNTY AND CITY COURTS—John Drescher, Chairman; W. T. Stott, Richard Radcliffe, J. T. Webb, Ben L. Cox, H. C. Duffy, W. J. Kuh, S. B. Lott, J. J. Huff.

CODES OF PRACTICE—W. A. Price, Chairman; Frank C. Greene, Jas. T. Webb, Geo. T. Davis, J. D. Pumphrey, John A. Polin, Mazyck O'Brien, B. T. Rountree.

CHARITABLE INSTITUTIONS—J. D. Pumphrey, Chairman; H. C. Blades, L. Meriweather Smith, W. B. Harvey, H. H. Hayes, Maurice J. Farris, Louis Tieman, L. J. Parrigin.

CRIMINAL LAW—John A. Polin, Chairman; L. Meriweather Smith, Chairman; John C. Duffy, W. T. McNally, Geo. T. Davis, E. V. Hall, J. D. Pumphrey, Walter N. Flippin, Lelburn Phelps.

CITIES OF THE FOURTH CLASS—Louis Tieman, Chairman; Ben L. Cox, Geo. T. Davis, John McDyer, Samuel Turley, James T. Webb, W. N. Flippin, Roy S. Wilson, Ed. Frost.

CITIES OF THE FIFTH AND SIXTH CLASS—W. E. Rogers, Chairman; Dr. S. L. Henry, J. D. Pumphrey, T. J. Poteet, J. B. Harvey, J. R. Mount, H. H. Harrington, J. W. Douglas, E. V. Hall.

CONFEDERATE HOME—J. F. Boitnott, Chairman; Ed. F. Cecil, Dr. S. L. Henry, John Drescher, H. H. Harrington, H. C. Duffy, John F. White, J. D. Wills, C. M. Gum.

COMPENSATION FOR INDUSTRIAL INJURIES—Stanley F. Reed, Chairman; John G. Miller, Jr., John Drescher, Elwood Hamilton, Matt S. Walton, John McDyer, E. V. Hall, J. J. Huff.

EXECUTIVE AFFAIRS—James R. Dorman, Chairman; H. H. Harrington, John H. Klette, William J. Kuh, Geo. M. McDowell, J. R. Mount, T. J. Poteet, Dr. Wallace Bailey, M. O. Wilson.

EDUCATION No. 1—V. D. Hammond, Chairman; Dr. J. N. McCormack, Henry C. Blades, James R. Dorman, John F. White, Vert C. Fraser, Richard Radcliffe, Harry Avery, Walter N. Flippin.

EDUCATION No. 2—John W. Douglas, Chairman; J. Guthrie Coke, T. R. Jones, John H. Klette, J. N. McCormack, A. W. Palmer, John C. Duffy, E. V. Hall, J. M. Billiter.

FEDERAL RELATIONS—H. H. Harrington, Chairman; W. A. Shawler, W. T. Stott, John F. White, T. T. Mobley, Stanley F. Reed, Douglas G. Wood, Walter E. Henninger, J. B. Harvey.

CONSTITUTIONAL AMENDMENTS—F. C. Greene, Chairman; W. B. Harvey, William Duffy, T. R. Jones, John A. Polin, John W. Douglas, L. Meriweather Smith, J. D. Pumphrey, A. J. Oliver.

EQUAL SUFFRAGE—Geo. T. Davis, Chairman; Shelton M. Saufley, Stanley F. Reed, John D. Miller, Jr., Ben L. Cox, J. N. McCormack, Ed. F. Cecil, Simon B. Lott, Ed. B. Stone.

FISH AND GAME—Ben L. Cox, Chairman; Harry J. Meyers, W. A. Shawler, H. C. Duffy, R. B. Hutchcraft, Jr., W. L. Hampton, Samuel Turley, J. L. Myers, C. R. Luker.

FORESTRY—William J. Kuh, Chairman; James W. Barrall, H. H. Harrington, H. H. Hayes, John F. Fryer, J. M. Johnson, T. J. Evans, Edward F. Cecil, M. O. Wilson.

GEOLOGICAL SURVEY—John F. White, Chairman; L. Meriweather Smith, Roy S. Wilson, Harry Avery, S. Mazyck O'Brien, J. M. Johnson, R. B. Hutchcraft, Jr., J. M. Billiter, Ed. D. Stone.

INTERNAL IMPROVEMENTS—John F. Fryer, Chairman; W. L. Hampton, Dr. S. L. Henry, Griffin Kelly, Geo. M. McDowell, A. W. Palmer, John A. Polin, Dr. W. R. Ray, Yeaman Watkins.

IMMIGRATION AND LABOR—Odie Duncan, Chairman; John A. Polin, S. Mazyck O'Brien, Zach L. Meyers, Peter Ampler, W. A. Shawler, Roy S. Wilson, Harry J. Meyers, C. R. Luker.

INSURANCE, FIRE AND MARINE—Thomas J. Evans, Chairman; James R. Dorman, Roy S. Wilson, John McDyer, Maurice J. Farris, Jr., W. A. Price, Richard Radcliffe, Harry Avery, Walter Henninger.

INSURANCE, LIFE AND ACCIDENT—Roy S. Wilson, Chairman; S. H. Rogers, Vert C. Fraser, Ed. Frost, William J. Kuh, C. W. Burton, H. H. Harrington, Samuel Turley, J. C. Lay.

INTERURBAN AND CITY RAILWAYS—Elmer L. Brown, Chairman; John G. Miller, Jr., W. R. Ray, John H. Klette, W. T. McNally, William J. Kuh, C. B. Nichols, J. R. Dorman, John H. McDyer.

JUDICIARY—James T. Webb, Chairman; John A. Polin, Matt S. Walton, Jr., William A. Perry, Frank C. Greene, W. A. Price, John G. Miller, Jr., George T. Davis, A. J. Oliver.

KENTUCKY STATUTES—L. Meriweather Smith, Chairman; John W. Douglas, R. B. Hutchcraft, Jr., Glover H. Cary, John H. Klette, J. D. Pumphrey, William C. Duffy, Lelburn Phelps, W. T. McNally.

JUVENILE COURTS AND CHILDREN'S HOME—W. T. McNally, Chairman; Geo. M. McDowell, A. W. Palmer, G. W. Burton, Ed. F. Cecil, Griffin Kelly, H. H. Hayes, Vert C. Fraser, Yeaman Watkins.

LAND TITLES—George B. Barrett, Chairman; W. B. Harvey, John C. Duffy, Zach L. Myers, S. H. Rogers, Joseph Boitnott, Ed. Stone, Lyman J. Parrigin, A. J. Oliver.

LEGISLATIVE ACCOUNTS—G. P. Durett, Chairman; T. J. Poteet, W. E. Rogers, W. A. Shawler, Adam Spahn, J. Guthrie Coke, Jr., J. J. Huff, Simon B. Lott, W. M. Webb.

MILITARY AFFAIRS—Ed. Frost, Chairman; Matt S. Walton, Jr., S. Mazyck O'Brien, Vert C. Fraser, Peter Ampler, Joseph Boitnott, N. B. White, J. C. Lay, J. J. Huff.

MINES AND MINING—Samuel Turley, Chairman; Maurice J. Farris, Jr., V. D. Hammond, Elwood Hamilton, G. H. Cary, T. T. Mobley, W. E. Rogers, J. R. Mount, John G. Miller, Jr.

MUNICIPALITIES—S. Mazyck O'Brien, Chairman; H. J. Meyers, J. Guthrie Coke, Jr., Matt S. Walton, Jr., John G. Miller, Jr., Peter Ampler, Shelton M. Saufley, Elmer L. Brown, Elwood Hamilton.

PRINTING—J. W. Barrall, Chairman; Shelton M. Saufley, V. D. Hammond, John E. Newman, W. R. Ray, Joseph Boitnott, J. D. Wills, M. O. Wilson, J. R. Mount.

PROPOSITIONS AND GRIEVANCES—H. H. Hayes, Chairman; John E. Newman, W. A. Perry, Joseph Boitnott, Elmer L. Brown, T. R. Jones, Walter E. Henninger, C. R. Luker, Lelburn Phelps.

PUBLIC LIBRARY—Vert C. Fraser, Chairman; Ed. Frost, V. D. Hammond, E. V. Hall, Peter Ampler, Harry Avery, James W. Barrall, Henry C. Blades, C. M. Gum.

PUBLIC OFFICES—E. V. Hall, Chairman; Griffin Kelly, John H. Klette, W. T. McNally, J. D. Pumphrey, D. H. Hillman, Wallace Bailey, J. C. Lay, M. O. Wilson.

PUBLIC HEALTH—Dr. T. J. Poteet, Chairman; S. L. Henry, John Drescher, W. A. Price, John E. Newman, John A. Polin, J. N. McCormack, Wallace Bailey, A. W. Sharp.

PUBLIC ROADS AND HIGHWAYS—John McDyer, Chairman; Harry J. Meyers, Adam Spahn, John E. Newman, A. W. Palmer, S. H. Rogers, C. B. Nichols, Ed. F. Cecil, Walter N. Flippin.

PUBLIC DITCHES AND FENCES—Griffin Kelly, Chairman; John Drescher, Dr. S. L. Henry, H. H. Harrington, W. T. Stott, W. B. Harvey, J. D. Wills, H. H. Hays, Simon B. Lott.

PUBLIC BRIDGES—Peter Ampler, Chairman; W. J. Kuh, C. W. Burton, Odie Duncan, Harry J. Meyers, G. P. Durrett, Vert C. Fraser, W. T. Stott, J. B. Harvey.

PURE FOOD—A. W. Palmer, Chairman; Harry Avery, Henry C. Blades, C. W. Burton, Odie Duncan, G. P. Durrett, John F. Fryer, W. L. Hampton, Lyman J. Parrigin.

STATE CAPITOL—Zach L. Myers, Chairman; William A. Perry, Maurice J. Farris, Jr., John W. Douglas, John F. White, D. H. Hillman, J. M. Johnson, Louis B. Tieman, J. M. Billiter.

STATE FAIR—John Drescher, Chairman; James T. Webb, H. C. Blades, Ed. Frost, G. P. Durett, J. W. Barrall, Geo. B. Barrett, Geo. M. McDowell, J. M. Billeter.

SUFFRAGE AND ELECTIONS—W. B. Harvey, Chairman; W. A. Price, Adam Spahn, James T. Webb, G. P. Durrett, John W. Douglas, John F. Fryer, Geo. M. McDowell, Lelburn Phelps.

SINKING FUND—W. T. Stott, Chairman; Harry J. Meyers, H. H. Hays, Geo. T. Davis, Zach L. Myers, Maurice J. Farris, Jr., William Duffy, Ed. Stone, J. C. Lay.

STATE PRISONS AND HOUSES OF REFORM—W. R. Ray, Chairman; C. B. Nichols, Elwood Hamilton, John F. White, D. H. Hillman, Glover H. Cary, John McDyer, John Drescher, W. M. Webb.

STATE UNIVERSITY AND NORMAL SCHOOLS—C. B. Nichols, Chairman; T. R. Jones, Shelton M. Saufley, J. N. McCormack, J. Guthrie Coke, Jr., William Duffy, Thos. J. Evans, Matt S. Walton, J. C. Lay.

TUBERCULOSIS—Dr. S. L. Henry, Chairman; C. W. Burton, Odie Duncan, W. A. Price, C. B. Nichols, Adam Spahn, W. R. Ray, A. W. Sharp, Wallace Bailey.

WAYS AND MEANS—J. D. Wills, Chairman; T. J. Poteet, J. R. Mount, Adam Spahn, S. H. Rogers, T. R. Jones, Lyman J. Parrigin, B. T. Rountree, C. R. Luker.

PUBLIC UTILITIES—Mat S. Walton, Jr., Chairman; J. Guthrie Coke, Jr., Elwood Hamilton, Adam Spahn, G. B. Barrett, D. H. Hillman, Elmer L. Brown, T. J. Poteet, L. Meriweather Smith.

PUBLIC WAREHOUSES AND GRANARIES—J. M. Johnson, Chairman; J. D. Wills, Louis Tieman, L. Meriweather Smith, S. H. Rogers, William A. Perry, C. R. Luker, Simon B. Lott, Douglas G. Wood.

PUBLIC MONUMENTS AND HISTORICAL RECORDS—W. A. Shawler, Chairman; William Duffy, Ed. Frost, John F. Fryer, C. M. Gum, Joseph Boitnott, J. M. Johnson, A. J. Oliver, J. B. Harvey.

RACING COMMISSION—Harry J. Meyers, Chairman; W. J. Kuh, R. B. Hutcheraft, Jr., C. B. Nichols, Zach L. Myers, Samuel Turley, James R. Dorman, Wallace Bailey.

RAILROADS—J. R. Mount, Chairman; V. D. Hammond, W. R. Ray, W. B. Harvey, H. C. Duffy, John Newman, J. M. Johnson, Zach L. Myers, F. C. Green.

REVENUE AND TAXATION—Elwood Hamilton, Chairman; Stanley F. Reed, Wm. A. Perry, J. Guthrie Coke, Dr. J. N. McCormack, John E. Newman, R. B. Hutcheraft, Jr., John C. Duffy, Glover H. Cary, Shelton M. Saufley, John G. Miller, Jr., T. T. Mobley.

RETRENCHMENT AND REFORM—D. H. Hillman, Chairman; James T. Webb, W. B. Harvey, W. T. McNally, Richard Radcliffe, Louis Tieman, J. D. Wills, N. B. White, A. W. Sharp.

REDISTRICTING—LEGISLATIVE—H. C. Blades, Chairman; Ben. L. Cox, Glover H. Cary, James W. Barrall, H. H. Hays, Zach L. Myers, W. A. Shawler, Samuel Turley, Yeaman Watkins.

REDISTRICTING—CONGRESSIONAL—S. H. Rogers, Chairman; T. J. Evans, H. R. Ray, Richard Radcliff, Peter Ampler, Harry Avery, W. E. Rogers, S. L. Henry, Douglas G. Wood.

REDISTRICTING—JUDICIAL—Geo. M. McDowell, Chairman; C. W. Burton, T. T. Mobley, Geo. T. Davis, R. B. Hutchcraft, Jr., E. V. Hall, Griffin Kelly, J. M. Johnson, W. M. Webb.

ENROLLMENTS—Richard Radcliffe, Chairman; Shelton M. Saufley, William A. Perry, Thos. J. Evans, B. T. Rountree.

RULES—Claude B. Terrell, Ex-Officio Chairman; Elwood Hamilton, John F. White, Dr. J. N. McCormack, J. Guthrie Coke, Jr., John E. Newman, John C. Duffy, Glover H. Cary, Mat S. Walton, Jr., John G. Miller, Jr., William Duffy, T. T. Mobley, Stanley F. Reed.

And then the House adjourned.

TUESDAY, JANUARY 13, 1914.

The House was opened with prayer by the Rev. F. W. Eberhardt, Pastor of the First Baptist Church of Frankfort.

Reading of the Journal of yesterday's proceedings was dispensed with, and the same was approved.

Upon the call of the counties and Representative districts, the following bills were introduced, ordered printed, and referred, viz.:

By Mr. Oliver:

H. B. 1. An Act empowering Boards of Trustees of all Common Graded Schools, created by the vote of the people, to levy and collect an annual tax for the maintenance, operating and support of the Graded Schools in their respective districts.

To Committee on Education No. 1.

By Same:

H. B. 2. An Act to repeal an Act entitled "An Act qualifying and enabling women to vote for the election of school trustees, and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution and upon school measures or questions submitted to a vote of the people and to hold common school offices, except such offices as women are qualified from holding by the Constitution."

To Committee on Equal Suffrage.

By Same:

H. B. 3. An Act to amend an Act entitled "An Act relating to Revenue and Taxation, providing for license taxes on compounded, rectified, adulterated or blended distilled spirits, known and designated as single-stamp spirits, and providing penalties for violations of its provisions."

To Committee on Revenue and Taxation.

By Same:

H. B. 4. An Act to regulate the manufacture and sale of Automobiles and Automobile Fixtures or Supplies and providing a license tax thereof.

To Committee on Revenue and Taxation.

By Same:

H. B. 5. An Act to repeal an Act entitled "An Act to repeal Section 1136, Chapter 36 of the Kentucky Statutes, and to substitute therefore, being Chapter 4 of the Acts of Session of 1910 of the General Assembly of Kentucky," approved March 7, 1910.

To Committee on State Prisons and House of Reform.

By Same:

H. B. 6. An Act to amend Section 64, Section 68, of Article 3 of Chapter 5 of the Acts of March 1, 1906, entitled, "An Act to promote the Sheep Industry and provide a tax on dogs."

To Committee on Agriculture.

By Same:

H. B. 7. An Act to abolish the offices of Assessor and Board of Supervisors in each county in the Commonwealth of Kentucky and providing that the Justice of the Peace in each Magisterial District assess the property and supervise the expenditure of money as appropriated by the Fiscal Court for building public roads.

To Committee on Revenue and Taxation.

By Same:

H. B. 8. An Act providing that all persons charged with criminal or penal offenses in all courts inferior to Circuit Courts in this Commonwealth, shall be entitled to trial by jury.

To Committee on Criminal Law.

By Same:

H. B. 9. An Act for the protection of persons traveling upon public highways of this Commonwealth and providing penalty for violations thereof.

To Committee on Public Roads and Highways.

By Same:

H. B. 10. An Act to simplify pleading in civil cases in this Commonwealth.

To Committee on Codes of Practice.

By Same:

H. B. 11. An Act prohibiting the purchase or having in possession a certificate of registration of any voter of this Commonwealth and providing a penalty thereof.

To Committee on Suffrage and Elections.

By Fraser:

H. B. 12. An Act to amend and re-enact sections 48 and 50 of an Act entitled, "An Act defining public roads, providing for their establishment, regulations and use and maintenance, creating the office of Road and Bridge Engineer and prescribing the duties thereof.

To Committee on Public Roads and Highways.

By Same:

H. B. 13. An Act relating to the holding of Circuit Courts in counties having therein cities of the sixth class or larger, located within two miles of the geographical center of said county, and ten miles or more from the county seat thereof.

To Committee on Circuit Courts.

By Same:

H. B. 14. An Act to regulate the sale, barter or loan of spirituous, malt, vinous or other alcoholic liquids that produce drunkenness.

To Committee on Alcoholic Liquor Traffic.

By Mr. Huff:

H. B. 15. An Act to regulate the holding of Circuit Courts in the 26th Judicial District of Kentucky.

To Committee on Circuit Courts.

By Mr. Farris:

H. B. 16. An Act for the repeal of Section 1 of an Act of 1912 appropriating money annually for the State University and two State Normal Schools.

To Committee on State University and Normal School.

By Same:

H. B. 17. An Act to promote the Live Stock interests in the State of Kentucky.

To Committee on Agriculture.

By Mr. Barrall:

H. B. 18. An Act further regulating the duties and powers of County and Circuit Court Clerks of this Commonwealth.

To Committee on County and Circuit Courts.

By Mr. Rountree:

H. B. 19. An Act to regulate certain fees to be charged by the Secretary of State.

To Committee on Kentucky Statutes.

By Same:

H. B. 20. An Act to prevent injury to Schoolhouses and grounds and church buildings.

To Committee on Criminal Law.

By Mr. Jones:

H. B. 21. An Act to amend Section 1958, Kentucky Statutes, Carroll's edition 1903, relating to crimes and punishments, and sale of mortgaged personal property.

To Committee on Kentucky Statutes.

By Mr. Mobley:

H. B. 22. An Act to prevent the appointment of deputies or other employes before election.

To Committee on Kentucky Statutes.

By Same:

H. B. 23. An Act to repeal Chapter 10, Session Acts 1906, and to provide for a dog tax.

To Committee on Agriculture.

By Mr. Phelps:

H. B. 24. An Act to prohibit the running at large of unaltered male stock of certain species.

To Committee on Agriculture.

By Same:

H. B. 25. An Act to prohibit the giving of free passes and the selling of tickets and transportation at reduced rates, not common to the public, by any railroad, steamboat or other common carrier, to any State, District, City, Town or County Officer, member of the General Assembly or Judge, and to prohibit the use and acceptance by any of said officers of such free passes, tickets and transportation at reduced rates not common to the public, and to provide punishments therefor.

To Committee on Railroads.

By Same:

H. B. 26. An Act to amend Section 2 of Chapter 10 of the Acts of 1906.

To Committee on Agriculture.

By Mr. John C. Duffy:

H. B. 27. An Act creating a State Text Book Commission to adopt for use in the Common Schools of Kentucky a uniform series of text books, regulating the price thereof, defining the powers and duties of said Commission and the method of selection of such text books and their distribution, prescribing penalties for the violation of this Act, and repealing Chapter 13, of the Acts of the General Assembly of Kentucky, approved March 15, 1910.

To Committee on Education No. 2.

By Same:

H. B. 28. An Act to amend Section 965, Carroll's Statutes of Kentucky edition of 1909, and changing the time of holding Circuit Court in the Third Judicial District.

To Committee on Circuit Courts.

By Same:

H. B. 29. An Act to abolish the fellow servant rule of law in this State.

To Committee on Public Utilities.

By Same:

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law, and providing for the payment thereof.

To Committee on Revenue and Taxation.

By Same:

H. B. 31. An Act defining the method of payment for appropriations for all Charitable, Penal, Educational, Eleemosynary and other Institutions, Boards and Organizations now or hereafter receiving the benefit of appropriations made by the General Assembly of the Commonwealth of Kentucky.

To Committee on Appropriations.

By Same:

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries, and of minors to the House of Reform.

To Committee on State Prisons and House of Reform.

By Mr. Wills:

H. B. 33. An Act to amend Section 1162 Kentucky Statutes.

To Committee on Criminal Law.

By Mr. Stone:

H. B. 34. An Act to amend Section 1321 of the Kentucky Statutes of 1909 as compiled by John D. Carroll, to prevent persons from engaging in certain labor and amusement on the Sabbath day.

To Committee on General Statutes.

By Same:

H. B. 35. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundary of this State in part or in whole.

To Committee on Railroads.

By Mr. Kelly:

H. B. 36. An Act for the protection of game, and to regulate the running of dogs at large.

To Committee on Fish and Game.

By Same:

H. B. 37. An Act to regulate the practice of Veterinary Surgery, Dentistry and Medicine.

To Committee on Agriculture.

By Mr. Brown:

H. B. 38. An Act relating to poll or capitation tax and providing for the collection of but one poll tax from citizens of cities of the Third Class.

To Committee on Municipalities.

By Same:

H. B. 39. An Act creating a State Board of Accountancy, prescribing its powers and duties, providing for examinations and issuing certificates to qualified public accountants, and providing penalties for violation of the provisions of this Act.

To Committee on Revenue and Taxation.

By Mr. Walton:

H. B. 40. An Act to regulate the making, drawing, uttering or delivering of checks, drafts or other orders for the payment of moneys and fixing the penalty for the violation thereof.

To Committee on Banks and Banking.

By Same:

H. B. 41. An Act defining cruelty to animals, prescribing means for the prevention thereof, and fixing penalties for its violation.

To Committee on Criminal Law.

My Mr. Hall:

H. B. 42. An Act to regulate the carrying of concealed deadly weapons in this Commonwealth.

To Committee on Kentucky Statutes.

By Same:

H. B. 43. An Act to amend Sections 4527 and 4527a, Article 16, Carroll's Kentucky Statutes, edition of 1909, relating to the Kentucky Normal and Industrial Institute for Colored Persons.

To Committee on State University and Common Schools.

By Same:

H. B. 44. An Act to amend Sections 3 and 5 of an Act, entitled an Act to provide for the enforced attendance of children in the Common Schools and Graded Common Schools of this Commonwealth, which became a law March 15, 1912.

To Committee on Education No. 1.

By Mr. Hamilton:

H. B. 45. An Act to revise a part of the Revenue Laws of this State, and to repeal certain Sections of Carroll's Statutes of Kentucky, edition of 1909, and subsequent Acts amendatory thereto, all relating to Revenue and Taaxtion.

To Committee on Revenue and Taxation.

By Same:

H. B. 46. An Act to repeal Section 950 of the Kentucky Statutes regulating the jurisdiction of the Court of Appeals in Civil Cases and to substitute in place thereof the following:

To Committee on Court of Appeals.

By Mr. Mount:

H. B. 47. An Act to change the court calendar of the 13th Judicial District.

To Committee on Circuit Court.

By Mr. James T. Webb:

H. B. 48. An Act to amend and re-enact Section 1309 of the Kentucky Statutes, Carroll's edition of 1909, making the crime of carrying a deadly weapon concealed or selling same to a minor, a felony.

To Committee on Kentucky Statutes.

By Same:

H. B. 49. An Act amending an Act granting pensions to the widows of Confederate Soldiers, so as to enable widows to

whom Confederate Soldiers were married prior to January 1, 1900, to draw pensions.

To Committee on Confederate Home.

By Same:

H. B. 50. An Act to amend section 1839 of Carroll's Kentucky Statutes of 1903, and exempt all male citizens from paying a poll tax that are over 50 years of age.

To Committee on Revenue and Taxation.

By Same:

H. B. 51. An Act to repeal an Act defining public roads, providing for their establishment, regulation and construction and use, and maintenance, creating the office of Road Engineer, and prescribing the duties thereof, same Act passed by the Legislature of 1912.

To Committee on Public Roads and Highways.

By Same:

H. B. 52. An Act to regulate practice in suits against Common Carriers and amend Section 113, Subsection 4 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Duncan:

H. B. 53. An Act to postpone date of payment of taxes.

To Committee on Revenue and Taxation.

By Same:

H. B. 54. An Act requiring the semi-monthly payment of employes.

To Committee on Immigration and Labor.

By Mr. Roy S. Wilson:

H. B. 55. An Act to amend an Act entitled "An Act defining Public Roads, providing for their establishment, regulation and construction and use and maintenance; creating the office of Road Engineer and prescribing the duties thereof. Approved March 18, 1912.

To Committee on Public Roads and Highways.

By Same:

H. B. 56. An Act to amend, correct and re-enact Subsection 7 of Section 2739c, Kentucky Statutes, being a part of an Act entitled "An Act to provide for the appointment of two additional Inspectors for coal mines."

To Committee on Mines and Mining.

By Mr. Drescher:

H. B. 57. An Act relating to the Drainage of Lands, the duties of the owners thereof through which ditches, drains, creeks or non-navigable streams pass, prescribing the method of procedure, the assessment and collection of the cost and expense thereof and prescribing the duties of officers relative thereto.

To Committee on Public Ditches and Fences.

By Mr. Spahn:

H. B. 58. An Act to amend Section 11, An Act relating to Husband and Wife and entitled, "Husband and Wife." Approved May 16, 1893, Kentucky Statutes, Section 2106.

To Committee on Judiciary.

By Mr. Wm. A. Perry:

H. B. 59. An Act to establish a Board of Examiners for Trained Nurses and to regulate the practice of professional Trained Nursing in the State of Kentucky.

To Committee on Public Health.

By Mr. W. M. Webb:

H. B. 60. An Act to repeal and re-enact Section 4426, Article 6, Chapter 113, and Sections 4501 to 4503, inclusive, Article 11, Chapter 113, Kentucky Statutes, Carroll's edition of 1909, relating to the examination and qualification of teachers.

To Committee on Education No. 1.

By Same:

H. B. 61. An Act to amend Section 4369, Article 1, Chapter 113 Kentucky Statutes, Carroll's edition of 1903, relating to the examination of pupils in the Common Schools.

To Committee on Education No. 1.

By Mr. Klette:

H. B. 62. An Act to provide for the payment of wages at least twice in each calendar month.

To Committee on Immigration and Labor.

By Mr. Harry J. Myers:

H. B. 63. An Act to establish an Insurance and Annuity Fund for Public School Teachers of Cities of the Second Class.

To Committee on Municipalities.

By Same:

H. B. 64. An Act to provide for the teaching of German in the public schools of this Commonwealth.

To Committee on Education No. 1.

By Mr. Luker:

H. B. 65. An Act to protect members of any church, fraternal organization or association of men and women from being discriminated against because of such membership.

To Committee on Judiciary.

By Same:

H. B. 66. An Act to prevent sectarian influences in the Common Schools by prohibiting teachers in the Common Schools from wearing while teaching therein any distinctive religious dress, mark, emblem or insignia.

To Committee on Education No. 1.

By Mr. Saufley:

H. B. 67. An Act to decrease the compensation of the members of the General Assembly of Kentucky.

To Committee on Ways and Means.

By Same:

H. B. 68. An Act for the identification of title to real estate held by devise or inheritance.

To Committee on Judiciary.

By Same:

H. B. 69. An Act to prevent bribery and other corrupt practices in elections.

To Committee on Suffrage and Election.

By Mr. Coke:

H. B. 70. An Act to provide for the extension of the School term of the Common Schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

To Committee on Education No. 1.

By Same:

H. B. 71. An Act to regulate the sale of bonds, stocks and other securities, and of real estate not located in Kentucky, and to prevent fraud in such sales.

To Committee on Judiciary.

By Mr. Reed:

H. B. 72. An Act to amend Subsection two of Section 3490, Chapter 89 of the Kentucky Statutes.

To Committee on Cities of the Fourth Class.

By Same:

H. B. 73. An Act to amend and re-enact Sections 579 and 584, Kentucky Statutes, Carroll's edition 1909, so that the Banking Laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

To Committee on Banks and Banking.

By Mr. Miller—

H. B. 74. An Act forbidding the use and acceptance of passes by public officials, and forbidding carriers to furnish passes to officials.

To Committee on Railroads.

By Same:

H. B. 75. An Act to regulate the payment of wages by employers.

To Committee on Immigration and Labor.

By Mr. Cary:

H. B. 76. An Act to amend an Act entitled "An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at General Elections, and prescribing penalties for the violation thereof." Which Act became a law March 5, 1912.

To Committee on Suffrage and Elections.

By Mr. Smith:

H. B. 77. An Act to amend An Act entitled "An Act for the Government of Cities of the Fourth Class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said Act and amendments now appear in Article 5 of Chapter 89 of the Kentucky Statutes, John D. Carroll's edition thereof in 1909; whereby Cities of the Fourth Class may go under the Commission Form of Government.

To Committee on Cities of the Fourth Class.

By Mr. Hays:

H. B. 78. An Act to amend and re-enact Sections 1 and 2 of Chapter 10 of the Acts of 1906, and to repeal Sections 64, 65, 66, 67 and 68 of the Kentucky Statutes, edition of 1909, edited by John D. Carroll, relating to the tax on dogs.

To Committee on Agriculture.

By Same:

H. B. 79. An Act fixing the time of holding the election of School Trustees throughout this Commonwealth.

To Committee on Education No. 1.

By Mr. Newman:

H. B. 80. An Act authorizing counties to assume payment of tax of thirty cents on county warrants issued in coun-

ties where the public roads and highways are worked by contract.

To Committee on Public Roads and Highways.

By Mr. Douglas:

H. B. 81. An Act to amend the election laws of 1912.

To Committee on Suffrage and Elections.

By Same:

H. B. 82. An Act to punish derogatory statements affecting any bank, Savings Bank or Trust Company.

To Committee on Banks and Banking.

By Same:

H. B. 83. An Act to prevent the Manufacture of Intoxicating Liquors in Local Option Territory.

To Committee on Alcoholic Liquor Traffic.

By Same:

H. B. 84. An Act for the better protection of game and fish.

To Committee on Fish and Game.

By Same:

H. B. 85. An Act to amend Section 1 of Chapter 6 of the Acts of 1912, entitled "An Act granting pensions to In-

digent and Disabled Confederate Soldiers, and the Widows of Confederate Soldiers."

To Committee on Confederate Home.

By Same:

H. B. 86. An Act to provide for the search of premises in local option territory where intoxicating liquors are sold, or suspected of being sold, for the seizure of such intoxicating liquors, for the arrest of the person, or persons in charge of such premises or intoxicating liquors and for the purpose of declaring such intoxicating liquors contraband and direct their confiscation and destruction.

To Committee on Alcoholic Liquor Traffic.

By Same:

H. B. 87. An Act relating to the equipment and regulation of hotels and restaurants, defining the same and relating to the inspection thereof, providing for penalties for violations of the provisions of this Act.

To Committee on Public Health.

By Mr. Biliter:

H. B. 88. An Act to amend and re-enact Section 1051 of Chapter 35, Article 3, Kentucky Statutes 1909, compiled by John D. Carroll, entitled Quarterly Courts.

To Committee on County and City Courts.

By Same:

H. B. 89. An Act to amend an Act of March, 1906, known as the Dog Tax Law, being Section 68, Subsection 2, of the Kentucky Statutes, Carroll's edition of 1909, entitled Dogs.

To Committee on Agriculture.

By Mr. Flippin:

H. B. 90. An Act fixing the times for holding Circuit Courts in the Thirty-fourth Judicial District.

To Committee on Circuit Courts.

By Same:

H. B. 91. An Act to amend an Act entitled, "An Act to promote the sheep industry and provide a tax on Dogs," approved March 1, 1906.

To Committee on Agriculture.

By Same:

H. B. 93. An Act to provide against Archaelogical Frauds and Imitations.

To Committee on Criminal Law.

By Mr. Ray:

H. B. 94. An Act to regulate Lobbyists and Lobbying.

To Committee on Judiciary.

By Mr. McCormick:

H. B. 95. An Act providing for the Uniform Accounting and Inspection of Public Offices in this Commonwealth.

To Committee on Revenue and Taxation.

By Mr. Polin:

H. B. 96. An Act to provide systems for the control and management of the construction and maintenance of the Public Roads and Bridges in the various counties of the Commonwealth.

To Committee on Public Roads and Highways.

By Mr. W. B. Harvey:

H. B. 97. An Act to amend Sections 2251 and 2260, Chapter 74, 1909 edition Carroll's Kentucky Statutes, relating to the payment of Grand and Petit Jurors, and providing pay for all jurors summoned in Circuit Courts.

To Committee on Circuit Courts.

By Same:

H. B. 98. An Act regulating the price to be charged for transportation of passengers by any person, firm or corporation owning or operating a railroad in whole or in part within this State, and providing for transportation of baggage.

To Committee on Railroads.

By Same:

H. B. 99. An Act to amend Sections 31 and 36 of the Constitution of Kentucky, providing for Representatives to

be elected for four years and for one Regular Session of the Legislature each four years.

To Committee on Constitutional Amendments.

A message was received from the Senate, announcing that they had concurred in joint resolution which originated in the House of the following title, viz.:

H. Res. 3. "Resolution instructing our Senators and requesting our Representatives in Congress of the United States to urge the selection of the City of Louisville as one of the Reserved Cities under the Federal Reserve Act of Congress of the United States."

S. Res. 4. "Resolution relating to the use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington."

That they had adopted a resolution of the following title:

S. Res. 4. "Resolution to appoint committee to draft suitable resolutions upon the death of General Simon Bolivar Buckner."

Ordered that said resolution lie on the Clerk's desk.

A message was received from the Governor in writing as follows, viz.:

Executive Department.

January 13, 1914.

To the House of Representatives of Kentucky:

In accordance with Section 4633 of the Kentucky Statutes, I submit for your information the monthly reports of

the examination of the books and accounts of the Auditor, as to the condition of the State Treasury, at the end of each month, as made by the State Inspector and Examiner, beginning January 19th, 1912, up to and including December, 1913.

JAMES B. MCCREARY, Governor.

Ordered that said message, and the accompanying reports of the State Inspector and Examiner, be ordered printed and referred to the Committee on Appropriations.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined, and found correctly enrolled, a joint resolution which originated in the House of Representatives, of the following title, viz.:

H. Res. 4. "Resolution relating to the use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington."

Whereupon all other business was suspended, said resolution was read at length and compared, in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to same.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original, and enrolled resolution, to the Clerk, it having been signed by the President of the Senate.

Ordered that the Chief Clerk deliver said resolution to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Davis offered the following joint resolution, viz.:

H. Res. 5. Resolution inviting Miss Laura Clay and Mrs. Desha Breckinridge to address a joint session of the General Assembly of Kentucky.

Be it resolved by the House of Representatives, the Senate concurring therein:

That Miss Laura Clay and Mrs. Desha Breckinridge be invited to address the General Assembly of Kentucky on Friday, January 16, 1914, at 12 o'clock.

Be it Resolved, That a committee be appointed by the Speaker of the House and President of the Senate to extend an invitation to such ladies.

Mr. R. S. Wilson moved that said resolution lie on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Mount and Davis, were as follows, viz.:

Those who voted in the affirmative were—

Henry Avery	J. G. Coke	W. N. Flippin
Geo. B. Barrett	John W. Douglas	Ed Frost
J. M. Billeter	John Drescher	John F. Fryer
Joseph Boitnott	H. C. Duffy	Frank C. Greene
Elmer L. Brown	William Duffy	C. M. Gum
C. W. Burton	G. P. Durrett	E. V. Hall
Glover H. Cary	Thomas J. Evans	H. H. Harrington

J. B. Harvey	John McDyer	B. T. Rountree
W. E. Henninger	T. T. Mobley	L. M. Smith
Dr. S. L. Henry	Harry J. Myers	Adam Spahn
D. H. Hillman	Zach Myers	Ed. D. Stone
J. J. Huff	C. B. Nichols	Louis Tieman
R. B. Hutchcraft Jr.	A. J. Oliver	Samuel Turley
J. M. Johnson	Lyman J. Parrigin	Yamen Watkins
Griffin Kelly	Lelburn Phelps	James T. Webb
John H. Kleete	William A. Perry	W. M. Webb
William J. Kuh	John A. Polin	N. B. White
J. C. Lay	J. D. Pumphrey	Roy S. Wilson
C. R. Luker	W. E. Rogers	Douglas G. Wood

—57

Those who voted in the negative were—

Benjamin L. Cox	T. R. Jones	Richard Radcliffe
George T. Davis	Simon B. Lott	Dr. W. R. Ray
James R. Dorman	Dr. J. N. M'Cormack	Stanley F. Reed
John C. Duffy	W. T. McNally	S. H. Rogers
M. J. Farris, Jr.	John G. Miller, Jr.	S. M. Saufley
Vert C. Fraser	J. R. Mount	W. A. Shawler
Elwood Hamilton	John E. Newman	W. T. Stott
W. L. Hampton	S. Mazyck O'Brien	M. S. Walton, Jr.
V. D. Hammond	A. W. Palmer	John F. White
W. D. Harvey	Dr. T. J. Poteet	J. D. Wills
H. H. Hays	W. A. Price	M. O. Wilson—33

Mr. Reed offered the following resolution, viz.:

H. Res. 6. Resolution providing for the placing of the Governor's message on the desks of the members of this General Assembly, and of the Governor.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That one hundred copies of the Governor's message be stamped, wrapped and placed on the desk of each member of

the House and of the Senate, and that one thousand copies similarly prepared be placed on the Governor's desk. The Auditor is hereby directed to draw his warrant on the Treasurer for any expense hereby incurred, and that the State Librarian is directed to make certification that same has been furnished.

Mr. Spahn moved to amend said resolution as follows, viz.: "Strike out the words 'one hundred' and insert in lieu thereof the word 'twenty-five.' "

Mr. Kelly moved that said resolution and amendment lie on the table.

Said motion was agreed to.

Mr. W. M. Webb offered the following joint resolution, viz.:

H. Res. 7. "Resolution requiring the purchase of Kentucky Statutes and Codes for the use of each member of the General Assembly."

Whereas, the work and business of the General Assembly of Kentucky is to make, amend, and repeal the laws of the State, it is necessary that we have copies of the present laws; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

First. That the State Librarian be and is hereby authorized and directed to provide each member of the General Assembly with a copy each of Carroll's Kentucky Statutes and the Codes of Practice, and the Auditor is hereby authorized and directed to draw a warrant on the Treasurer of Kentucky for the payment of same.

Second. That each member receiving said books shall deposit with said Librarian the cost price of same, and at the close of the session, he may return said books, in good condition, to said Librarian who shall refund the amount so paid, and all books returned shall be the property of the State.

Said resolution was read and ordered to lie over on the Clerk's desk.

Mr. J. B. Harvey offered the following resolution, viz.:

Whereas, the presence of tobacco smoke is offensive to quite a number of the members of this House, and

Whereas, in our opinion it would add dignity to this House by empowering the Speaker with authority to prohibit any smoking in this Chamber during hours this body is in session.

Said resolution was adopted.

Mr. J. T. Webb moved that the House do now adjourn.

Said motion was agreed to.

WEDNESDAY, JANUARY 14, 1914.

The House opened with prayer by the Rev. F. W. Eberhardt of the First Baptist Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with, and the same was approved.

Upon a call of the counties and Representative districts,

bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Oliver:

H. B. 100. An Act to amend Chapter 120 of the Session Acts of 1910. Being entitled an Act to amend Section 1697, Subdivision 1 of Article 15, Chapter 46 of the Kentucky Statutes, Carrolls' edition of 1903, entitled "Executions."

To Committee on Judiciary.

By Mr. Hutchcraft:

H. B. 101. An Act to amend Section 2323, Kentucky Statutes, Carroll's 1909 edition, relating to lien of landlord.

To Committee on Kentucky Statutes.

By Same:

H. B. 102. An Act to make uniform the law of sales of goods.

To Committee on Judiciary.

By Mr. McDyer:

H. B. 103. An Act exempting from taxation certain rights of way of the public highways of the various counties of this Commonwealth.

To Committee on Public Roads and Highways.

By Mr. Rountree:

H. B. 104. An Act to further regulate appeals to the Court of Appeals.

To Committee on Court of Appeals.

By Mr. Greene:

H. B. 106. An Act pertaining to the sale of dangerous moneys received by the Commonwealth of Kentucky as registration or license fees on automobiles and other motor or electric vehicles.

To Committee on Revenue and Taxation.

By Same:

H. B. 106. An Act jertaining to the sale of dangerous and deadly weapons to intoxicated persons, and persons in the habit of becoming intoxicated and prescribing penalties for the violation thereof.

To Committee on Criminal Law.

By Same:

H. B. 107. An Act concerning decedent's estates, and concerning the sale of decedents real estate to pay debts.

To Committee on Judiciary.

By Same:

H. B. 108. An Act providing that wills executed by males or females before marriage, and who afterwards become married shall be null and void.

To Committee on Judiciary.

By Same:

H. B. 109. An Act to amend an Act entitled, "An Act to establish a State Board of Embalming, defining the duties thereof, to provide for the better protection of life and health, and to prevent the spread of contagious diseases, to regulate the practice of embalming in connection with the care and disposition of the dead, and to provide a penalty for the violation thereof," which was approved March 22, 1904.

To Committee on Judiciary.

By Mr. Mobley:

H. B. 110. An Act to authorize each Circuit Judge in this Commonwealth to appoint an official stenographer and to provide for the payment of his salary.

To Committee on Circuit Courts.

By Same:

H. B. 111. An Act to amend an Act, approved March 11, 1912.

To Committee on Confederate Home.

By Mr. Parrigan:

H. B. 112. An Act to divide the State into one hundred Representative Districts.

To Committee on Redistricting, Legislative.

By Mr. Stone:

H. B. 113. An Act to control and regulate the conduct and use of gasoline, electric and steam-propelled passenger, delivery and freight auptomobiles, locomobiles and cars, and to protect and safeguard the public and the general and public use of the public thoroughfares; to provide for the competency of certain evidence at the trial of offenses, and to provide a penalty for the violation thereof.

To Committee on Public Roads and Highways.

By Mr. Hall:

H. B. 114. An Act to amend Section 5, Chapter 113, of An Act entitled, "An Act to provide for Inspection of Schools and School Funds of the State, and to increase the efficiency of the Department of Education," which became a law March 18, 1912.

To Committee on Education No. 1.

By Same:

H. B. 115. An Act to repeal and re-enact Chapter 74 of Acts of 1912, entitled, "An Act relating to Fiscal Courts."

To Committee on County and City Courts.

By Mr. Hall:

H. B. 116. An Act to amend an Act entitled, "An Act for the Government and Regulation of the Common Schools

of the State," which became a law March 24, 1908, as amended by Chapter 25, of the Acts of 1912.

To Committee on Education No. 1.

By Mr. J. T. Webb:

H. B. 117. An Act for the benefit of adjacent land owners requiring private ditches to be made and maintained.

To Committee on Public Ditches and Fences.

By Mr. Lott:

H. B. 118. An Act relating to boys who live on a farm hunting without gun license.

To Committee on Fish and Game.

By Mr. Drescher:

H. B. 119. An Act to define the right and duties of Cities of the First Class, in case where said city has heretofore or will hereafter annex new territory.

To Committee on Municipalities.

By Mr. McNally:

H. B. 120. An Act to amend Section 362 of the Code of Practice of Criminal cases.

To Committee on Codes of Practice.

By Mr. W. M. Webb:

H. B. 121. An Act relating to the manufacture, sale and use of tobacco and cigarettes, and providing punishment for volations thereof.

To Committee on Kentucky Statutes.

By Mr. Klette:

H. B. 122. An Act to prohibit the killing of quail, partridge or pheasant for a period of two years.

To Committee on Fish and Game.

By Mr. Price:

H. B. 123. An Act consolidating the office of Jailer with that of Sheriff, and providing for compensation to the Sheriff as Jailer.

To Committee on County and City Courts.

By Same:

H. B. 124. An Act to abolish the office of Commonwealth's Attorney and to provide for the discharge of the duties of such office.

To Committee on Circuit Courts.

By Same:

H. B. 125. An Act to secure the registration of plumbers and the supervision and inspection of plumbing and drainage in cities of the 1st and 2nd class.

To Committee on Municipalities.

By Mr. H. J. Meyers:

H. B. 126. An Act to provide for the regulation of Public Utilities and for the enforcement of its provision by the Railroad Commission and other Public Officials, the employment of the necessary assistants and the necessary salaries and expenses in connection therewith, and repealing all acts and parts of acts in conflict herewith.

To Committee on Public Utilities.

By Same:

H. B. 127. An Act to provide and regulate the method of compensation for injured, and the dependents of killed employes, to create a State Insurance Fund for such purposes, and to provide for the administration of such fund by a State Liability Board of Awards.

To Committee on Compensation and Industrial Injuries.

By Mr. Wilson:

H. B. 128. An Act to provide for the payment of the services of members of Division Boards of Education.

To Committee on Education No. 1.

By Same:

H. B. 129. An Act to amend Chapter 96 of the Acts of the General Assembly of 1912, entitled, "An Act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth, and to provide for the appointment of a truant officer for graded common schools.

To Committee on Education No. 1.

By Mr. Coke:

H. B. 130. An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission, with reference thereto.

To Committee on Public Utilities.

By Same:

H. B. 131. An Act to regulate the payment of certain appropriations.

To Committee on Appropriations.

By Mr. Rogers:

H. B. 132. An Act to amend an Act entitled, "An Act defining Public Roads, providing for their establishment, regulating and construction and use and maintenance, creating the office of Road Engineer and prescribing the duties thereof.

To Committee on Public Roads and Highways.

By Mr. Cary:

H. B. 133. An Act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in Kentucky and not incorporated under the laws of said State, but licensed to write such insurance therein through legally licensed agents, to write or cause to be written such insurance against loss or damage to property therein, except, the

same be written by legally licensed agents of said companies under the laws of said State and residing therein; prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in companies not legally licensed to write such insurance in said State; fixing the venue of prosecution for the violation of certain sections hereof, and providing certain penalties.

To Committee on Insurance, Fire and Marine.

By Mr. Smith:

H. B. 134. An Act to punish the making or use of false statements to obtain property or credit, and making certain offenders personally liable.

To Committee on Kentucky Statutes.

By Mr. White:

H. B. 135. An Act to repeal Sections 13 and 14 of an Act approved March 26, 1908, entitled, "An Act to appropriate money for the benefit of the Houses of Reform, to provide funds to pay the existing deficit, and to make improvements at the Houses of Reform.

To Committee on State Prisons and Houses of Reform.

By Mr. Henry:

H. B. 136. An Act to amend Section 4131, Article 8, Chapter 108 of the Kentucky Statutes.

To Committee on County and City Courts.

By Same:

H. B. 137. An Act concerning dentistry, surgery and veterinary medicine in this State, and to establish a Board of Veterinary Medical Examination.

To Committee on Agriculture.

By Mr. Hammond:

H. B. 138. An Act to amend Section 4383, Chapter 113, of the Kentucky Statutes, Carroll's edition, so as to add the elements of Agriculture and Domestic Science to the course of study prescribed for the common schools.

To Committee on Education No. 1.

By Same:

H. B. 139. An Act to require the registration of all factories, machine shops, laundries, work-shops, mercantile, manufacturing or mechanical establishments, hotels, restaurants, telephone exchanges and telegraph offices with the State Commissioner of Agriculture and Labor.

To Committee on Public Health.

By Mr. Flippin:

H. B. 140. An Act dividing the State of Kentucky into one hundred Representative Districts.

To Committee on Redistricting, Legislative.

By Mr. Luker:

H. B. 141. An Act dividing the Commonwealth of Kentucky into Thirty-eight Senatorial Districts.

To Committee on Redistricting, Legislative.

By Mr. Hutchcraft:

H. B. 142. An Act to amend Section 2487, Kentucky Statutes, Carroll's edition of 1909, relating to lien of employes and material men on property assigned for the benefit of creditors.

To Committee on Judiciary.

By Mr. Ampler:

H. B. 143. An Act to amend Section 11 of an Act entitled "An Act defining motor vehicles, providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March 23, 1910.

To Committee on Public Roads and Highways.

A message was received from the Governor announcing that he had approved and signed a joint resolution which originated in the House, entitled H. Res. 4. Resolution relating to the use of Kentucky stone in the erection of the Lincoln Memorial Building at Washington.

Mr. Oliver offered the following resolution, viz.:

Whereas, The chewing of tobacco, gum, wax, tolu and other substances intended for the exercise of the maxillary muscles, results in offensive practices on the part of persons indulging in that habit, and

Whereas, The members of this House can not give proper attention to their duties while indulging in this untidy and distracting habit, therefore,

Be it Resolved, That the practice, habit, custom, and indulgence of chewing, eating, expectorating, or cuspidor spattering through the medium of tobacco, licorice, gum, wax, tolu or any compound thereof, shall not be permitted during the sessions of this House.

Provided, That this resolution shall not be construed to apply to cigars, lighted or unlighted, and held innocently in the mouth.

Mr. Douglas moved that said resolution be referred to the Committee on Public Health.

Said motion was disagreed to.

Said resolution was disagreed to.

Mr. Harry J. Meyers moved to take from the table the resolution as offered by Mr. Reed on yesterday.

Said motion was agreed to.

The amendment to said resolution, as offered yesterday, by Mr. Spahn, was agreed to.

Said resolution was then adopted.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry Avery	H. C. Blades	J. G. Coke
Peter Ampler	Joseph Boitnott	Benjamin L. Cox
Wallace Bailey	Elmer L. Brown	George T. Davis
James W. Barrall	C. W. Burton	James R. Dorman
Geo. B. Barrett	Glover H. Cary	John W. Douglas
J. M. Billeter	Ed. F. Cecil	John Drescher

H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
W. N. Flippin
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
V. D. Hammond
H. H. Harrington
J. B. Harvey
W. B. Harvey
H. H. Hays
W. E. Heninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Kleete
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J. N. M'Cormack
Geo. M. McDowell
John McDyer
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
A. W. Palmer
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
Dr. T. J. Poteet
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
W. A. Shawler
L. M. Smith
Adam Spann
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
M. S. Walton, Jr.
Yamen Watkins
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Roy S. Wilson
Douglas G. Wood
Mr. Speaker
—93

Those who voted in the negative were—

J. R. Mount — 1

Mr. Coke offered the following resolution, viz:

Resolution inviting Miss Laura Clay and Mrs. Desha Breckinridge to address the House of Representatives.

Be it Resolved by the House of Representatives:

That Miss Laura Clay and Mrs. Desha Breckinridge are

invited to address the House of Representatives assembled in Committee of the Whole House on the state of the Commonwealth, Thursday, January 15, 1914, at 12 o'clock, Meridian, on the question of Equal Suffrage.

Be it Resolved, That promptly at 12 o'clock Meridian, on Thursday, the House of Representatives resolve itself in Committee of the Whole House for the purpose of hearing such addresses, and

Be it further Resolved, That the Senate of Kentucky be invited by the Speaker of the House to meet with the House on that occasion.

Mr. R. S. Wilson offered the following amendment to said resolution by way of substitute therefor, viz:

Be it Resolved by the House of Representatives:

That Miss Laura Clay and Mrs. Desha Breckinridge are invited to address the House of Representatives on Monday, January 19, 1914.

Be it further Resolved, That when the House adjourns upon the above mentioned date, it adjourn to meet again at 8 o'clock P. M. on that date, for the specific purpose of hearing these two invited guests, at which special session no other business shall be transacted other than stated above.

Be it further Resolved, That an invitation shall be, and is hereby extended to the members of the Kentucky State Senate, to be present at said session.

Said substitute amendment was disagreed too.

Said resolution was adopted.

Mr. Reed offered the following resolution, viz:

Whereas, it is the desire of this House to affect a material reduction in the expenditures of the State government and institutions, if consistent with their efficient conduct;

Whereas, it is believed that this can be best accomplished by the repeal of the existing appropriations for agriculture, educational and charitable institutions, and various miscellaneous appropriations, and for the re-enactment and re-adjustment of the same. Now, therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That its Committee on Appropriations be and the same is hereby directed to originate and report to this House a bill repealing, in so far as same may be legally repealed, the appropriations for the following institutions and purposes:

Agriculture.

Agricultural Bureau Appropriation.
State Board of Agriculture.
State Fair Appropriation.
Public Roads.
Board of Forestry.

Education.

State University Appropriation.
Agricultural Experiment Station.
Pure Food Appropriation.
State Board of Health.
Tuberculosis Appropriation.
San Jose Scale.
Geological Survey Appropriation.
Eastern Kentucky Normal School.
Western Kentucky Normal School.
Kentucky Normal and Industrial School, colored.
Kentucky Library Commission.
Kentucky School for Deaf and Dumb, per capita, etc.
Kentucky Institution for Blind, per capita, etc.

Charitable Institutions, Including Per Capita and Appropriations.

Eastern State Hospital.
Western State Hospital.
Central State Hospital.
Feeble Minded Institute.
Home for Incurables.
Kentucky Home Society for Colored Children.
Kentucky Children's Home Society.

Miscellaneous Appropriations.

State Historical Society Appropriation.
State Capitol Maintenance Appropriation.
Old Capitol Maintenance Appropriation.
Perry Victory Centennial Commission, Special Military Fund.
Frankfort Cemetery Appropriation.

Said Act to take effect July 1, 1914. Provided, however, that the per capita provision for charitable institutions and Confederate Home shall not be repealed. Provided, also that authority is given said Committee to incorporate in said bill for the consideration of the House the appropriations for any other non-enumerated purpose.

Be it further Resolved, That said Committee is directed to inquire into the amount of the annual appropriations necessary for the economical and efficient conduct of the institutions; that for such purpose the Committee is hereby given authority to summon before it such witnesses, and to compell the production of such evidence as may be necessary; that the Auditor and the State Inspector and Examiner are requested to furnish such information and assistance as lies in their power and that the Attorney General is requested,

either in person or through one of his assistants, to assist said Committee in said work.

Be it further Resolved, That said Committee on Appropriations is hereby directed to report the result of its findings to this House as soon as practicable, and to originate and report a general appropriation bill providing funds for the maintenance of the hereinbefore mentioned institutions, on and after July 1st, 1914. Provided, that if it is deemed advisable by the Committee, the bills repealing, re-enacting and reapportioning said appropriations may be reported as one bill.

Said resolution was adopted.

Mr. W. M. Webb called up for consideration from the Clerk's desk H. Res. 7. Resolution requiring the purchase of Kentucky Statutes and Code for use of each member of the General Assembly.

(For Res. see yesterday's Journal).

Mr. Huff offered an amendment to said resolution, viz:

Amend by providing that the Acts of 1910 and 1912 be also furnished in the same way.

Mr. John C. Duffy offered an amendment as follows:

Amend by striking out section 2.

Mr. Walton offered an amendment as follows:

Amend, that ten copies of the Carroll Statutes, 1909, Code and Acts of 1910 and 1912 be purchased for the use of the House, at the expense of the Commonwealth.

Mr. Hall offered an amendment to the amendment as offered by Mr. Walton, as follows:

Amend said amendment so as to provide that ten copies of the different books for each House of the General Assembly, making twenty copies of each of the four books.

Mr. J. T. Webb moved that said resolution, and all pending amendments, be laid on the table.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 15, 1914.

The House opened with prayer by the Rev. F. W. Eberhardt of the First Baptist Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with, and the same was approved.

Upon a call of the counties and Representative districts, bills were introduced, ordered printed, and referred as follows, viz:

By Mr. McDyer:

H. B. 144. An Act to prevent the sending, exhibiting, posting or circulating letters, circulars or posters, written or printed in pamphlet form or otherwise, false accusation against another person and prescribing the penalty therefor.

To Committee on Judiciary.

By Mr. Tieman:

H. B. 145. An Act to amend and re-enact Section 3713-3714, Chapter 89, Carroll's Kentucky Statutes, being part of Article 8 of said Chapter, entitled, Creation and Organization of towns, approved July 3, 1893.

To Committee on Cities of the Fifth and Sixth Class.

By same:

H. B. 146. An Act to regulate city vehicle license fees and tolls for motor vehicles in cities and on all bridges, turnpikes and gravel roads in the Commonwealth of Kentucky.

To Committee on Public Roads and Highways.

By Mr. Stone:

H. B. 147. An Act to repeal an Act relating to the State Board of Forestry.

To Committee on Forestry.

By same:

H. B. 148. An Act to require all persons, corporations, companies and firms or partnerships to have two regular pay days each month.

To Committee on Immigration and Labor.

By same:

H. B. 149. An Act to fix and define a lawful fence in

this State and to provide a lien on all animals committing trespass on land inclosed with such fence, and to provide a method for enforcing such lien.

To Committee on Agriculture.

By Mr. Walton:

H. B. 150. An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial thereof, and providing what shall be a defense.

To Committee on Judiciary.

By Mr. Webb, J. T.:

H. B. 151. An Act amending Section 31 of an Act approved March 19, 1912, relating to the drainage of lands, the establishment and construction of public levees, ditches and drains, and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks or non-navigable streams, prescribing the methods of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating boards of drainage commissioners, and prescribing the duties and providing for the payment of officers and employes having duties to perform hereunder.

To Committee on Public Ditches and Fences.

By Mr. Avery:

H. B. 152. An Act to regulate the sale of leaf tobacco in this Commonwealth, and providing penalties for violation thereof.

To Committee on Criminal Law.

By Mr. Drescher:

H. B. 153. An Act to enjoin and abate houses of lewdness, etc., and to enjoin the person or persons who conduct or maintain the same.

To Committee on Criminal Law.

By Mr. Barrett:

H. B. 154. An Act to provide a stenographer for the County Judge of counties having a population of two hundred thousand or over.

To Committee on County and City Courts.

By Mr. Duffy, W. M.:

H. B. 155. An Act prescribing the liability of an employer to make compensation for injuries received by an employe in the course of employment. Modifying the common law and statutory remedies, in such cases. Establishing an elective schedule of compensation, and regulating procedure for the determination of liability, and providing methods for payments of compensation thereunder.

To Committee on Compensation for Industrial Injuries.

By Mr. Webb, W. M.:

H. B. 156. An Act to amend and re-enact Section 2248 of Chapter 74, Article 2, Kentucky Statutes of 1909, compiled by John D. Carroll, entitled, Grand and Petit Jurors—How Obtained.

To Committee on County and City Courts.

By Mr. Klette:

H. B. 157. An Act to regulate the practice of Veterinary medicine surgery and dentistry in the State of Kentucky. To license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof.

To Committee on Agriculture.

By Mr. Sauffey:

H. B. 158. An Act to amend Sections 48, 50 and 94 of an Act, entitled, An Act defining Public roads, prescribing for their establishment, regulation and construction, use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof. Which Act became a law upon the approval of the Governor, March 18, 1912.

To Committee on Public Roads and Highways.

By same:

H. B. 159. An Act to amend and re-enact Sections 3957 and 3958, Chapter 105, Kentucky Statutes, Carroll's edition 1909, relating to Public Printing and Binding and Stationery, being an Act of June 20, 1893.

To Committee on Printing.

By Mr. Johnson:

H. B. 160. An Act to amend and re-enact Section 3 of Primary Election Law, approved March 5, 1912.

To Committee on Suffrage and Elections.

By Mr. Smith:

H. B. 161. An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges.

To Committee on Constitutional Amendments.

By Mr. Biliter:

H. B. 162. An Act defining public roads; providing for their establishment, regulation, use, and maintenance, and creating the office of County Road Engineer, and prescribing the duties thereof.

To Committee on Public Roads and Highways.

By Mr. Hillman:

H. B. 163. An Act providing the time and manner of electing United States Senators.

To Committee on Suffrage and Elections.

By Mr. Palmer:

H. B. 164. An Act to amend Section 67 and Sub-sections 3 and Section 68a, Article 3, Carroll's edition, Kentucky Statutes, 1909.

To Committee on Agriculture.

By Mr. Polin:

H. B. 165. An Act to provide for the registration of names for farms and to prevent the use of such names when registered.

To Committee on Agriculture.

By Mr. Lay:

H. B. 166. An Act to promote the sheep industry and provide a tax on dogs.

To Committee on Agriculture.

By Mr. Davis:

H. B. 167. An Act to allow the use of hoop nets in the navigable rivers of Kentucky.

To Committee on Fish and Game.

By Mr. Hamilton:

H. B. 168. An Act to amend Section 171 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Oliver:

H. B. 169. An Act to prevent moving picture shows in this State from opening, running or operating on the Sabbath, and providing penalties for violation thereof.

To Committee on Criminal Law.

By Mr. Jones:

H. B. 170. An Act to amend an Act as amended by an Act of March 21, 1902, Section 4369, Kentucky Statutes, Carroll's edition, 1909, relating to certificates granted to pupil who completes common school course.

To Committee on Education No. 1.

By Mr. Coke:

H. B. 171. An Act to repeal and re-enact Sections 2204, 2211, and 2212 of Carroll's Statutes, edition of 1909, and providing additional duties for inspector of illuminating oils and providing that the fees collected therefor shall be turned into the State Treasurer's office, all relating to the inspection of illuminating oils.

To Committee on Kentucky Statutes.

By Mr. Fryer:

H. B. 172. An Act to suppress foul brood and other dangerous diseases of bees.

To Committee on Internal Improvements.

A message was received from the Senate announcing that they had concurred in the adoption of resolution which originated in the House of Representatives, entitled:

H. Res. 1. Resolution for the employment and appointment of certain persons, and for payment of certain contingent expenses of this General Assembly, and providing the mode of payment thereof.

Mr. Nichols offered the following resolution, viz:

H. Res. 8. Resolution providing for the Standing Committees to visit the Public Institutions of this State.

Whereas, for a better understanding of the needs and requirements of the various charitable, penal and educational institutions of the State, it is advisable that the committees of the House and Senate should visit such institutions for the purposes of investigation. Now therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the House Committee on Charitable Institutions, and the Senate Committee on Charitable Institutions, are authorized to visit such charitable institutions as they may deem necessary. That the committee on State University and Normal Schools of the House, and the committee on Education of the Senate are also authorized to visit such institutions as they may deem necessary. That the House Committee on State Prisons and Houses of Reform, and the Senate Committee on Penal and Reformatory institutions are likewise authorized to visit such penal and reformatory institutions.

The Auditor of Public Accounts is directed to draw his warrant on the Treasurer to pay out of the funds not otherwise appropriated the expenses of such Committees on such investigations, as may be certified to him by the Chairman of said Committees.

Said resolution was read, and, under the rules, ordered to lie over one day.

Mr. Phelps offered the following joint resolution, viz.:

Resolution providing that a copy of Kentucky Statutes be furnished to each member of the General Assembly, and

that the Codes of Practice be furnished to certain Committees.

Whereas, it is absurd for any one to attempt to enact new law without having ready access to existing law, and whereas every member of the General Assembly has constant need of the Kentucky Statutes and certain committees need the Codes of Practice; therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Librarian be and he is hereby directed to purchase 138 copies of the latest edition of the Kentucky Statutes and 30 copies of the Codes of Practice, twenty for the use of House committees and ten for the use of Senate committees, to-wit, the Committee on Criminal Law, on Codes of Practice, Judiciary, and such other committees as the Speaker of the House and Lieutenant Governor, respectively, may designate.

The Kentucky Statutes shall be furnished to each member by the Librarian, upon request of the member, and at any time during the session a member of either House may purchase the copy of Kentucky Statutes in his possession at the price of five dollars, and the Codes of Practice furnished as herein provided may be sold to members of either House at the price of three dollars, but the Codes are not to be delivered to purchasers until the end of the session.

All books not purchased by members shall be returned by them to the State Librarian, in good condition, and he shall sell same to any person desiring to purchase at the price herein named, and cover the money into the Treasury.

The Auditor of Public Accounts, upon the request of the State Librarian, will draw his warrant upon the Treasurer for the amount of the purchase price of said books.

Said resolution was read, and, under the rules, was ordered to lie over one day.

Mr. Walton, for himself, and Messrs. Hutchcraft and Evans, offered the following resolution, viz.:

Whereas, it appears from the report of the State Inspector and Examiner concerning the State Board of Health that large amounts of the funds of the Commonwealth have been appropriated to divers persons for unauthorized purposes; therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the said report of the Inspector and Examiner be referred to the Attorney General of the Commonwealth with directions that he take such action as to him may seem proper to recover from the proper parties all sums, if any, which have been improperly used or paid out by said Board of Health, and any matters therein which should properly come before a grand jury for investigation, he will refer to the Commonwealth Attorney of Franklin County for said purpose.

Said resolution was adopted.

Mr. McCormick offered the following resolution, viz.:

Resolved, That in order to intelligently consider the budget proposition embodied in the resolution adopted yesterday on motion of the gentleman from Mason, the Auditor of Public Accounts be requested and instructed, as speedily as possible, to furnish this House with a balance sheet of the State Treasury for the fiscal year ending June 30, 1914, giving:

1. The total estimated revenues for such year, the sources of revenue, and the sections of the Statutes or Acts providing for or regulating the collection of revenues from each source, and

2. To total expenditures authorized under existing law for each department, institution, office, commission or other activity of this Commonwealth, by departments or activities, including the public printing and every other form of expense from the State Treasury for such department or activity, and showing the sections of the Statutes or Acts authorizing each of such appropriations or expense.

Said resolution was adopted.

Mr. Walton offered the following resolution, viz.:

Whereas, it has come to the attention of this General Assembly, through the reports of the State Inspector and Examiner, that many officers and employes of this Commonwealth are drawing and receiving more than one salary out of the Treasury of the Commonwealth, and through its different departments and institutions; now, therefore,

Be it Resolved, That a committee of five be appointed by the Speaker of this House to investigate any and all of such cases of duplication of salaries and wages, and report its findings hereon, together with whatever recommendations said committee may deem necessary.

Said resolution was adopted.

The Speaker laid before the House the following order of election, namely:

To the Sheriff of Greenup County, Kentucky:

Whereas, it has been suggested and shown that the Hon. James A. Scott, who was elected Representative from the 99th Representative District of Kentucky, died after the date of his election, November 5th, 1913, and before the assembling of the House of Representatives, to-wit, on the 6th day of January, 1914, thereby causing a vacancy in the office of Representative in said Representative District.

Now, therefore, by virtue of the power and authority vested in me as presiding officer of the House of Represen-

tatives of the General Assembly of the Commonwealth of Kentucky, an election is hereby called and ordered to be held in Greenup County, Kentucky, which constitutes said Representative District No. 99, on Tuesday the 2nd day of February, 1914, in the various voting precincts of said County and District, for the purpose of electing a Representative in the House of Representatives from said District to fill out the said unexpired term of James A. Scott.

You are therefore commanded to open a poll at the various voting precincts in said Representative District and cause an election to be held in said District as provided by law to fill such vacancy. To that end you are ordered to give notice of such election by advertisements, posted at the Court House door of Greenup County, and the several voting places in said District and County, and publish in a newspaper printed in said County for not less than fifteen days before such election. And you will in all respects discharge all of such other duties concerning the holding of said special election as is required by law.

In testimony whereof, witness my signature as presiding officer of the House of Representatives of the General Assembly of the Commonwealth of Kentucky this the 15th day of January, 1914.

CLAUDE B. TERRELL,
Speaker and Presiding Officer House of Rep.

Attest:

JAMES E. STONE,
Chief Clerk House of Representatives.

Which was read and ordered to be spread upon the Journal.

Mr. Phelps moved that the House do now recess until 11:50 o'clock A. M.

Said motion was agreed to.

At 11:50 o'clock A. M. the House resumed its sitting.

At 12 o'clock, meridian:

Mr. H. J. Meyers moved that the House do now resolve itself into a Committee of the Whole House on the state of the Commonwealth, in accordance with a resolution adopted by this House on yesterday, and that when said Committee arise the House do stand adjourned until tomorrow morning at nine o'clock.

Said motion was agreed to.

The Speaker vacated the chair after having named Mr. Hamilton as Chairman of the Committee of the Whole House.

At 2 o'clock P. M. the Speaker resumed the chair and Mr. Hamilton, Chairman of the Committee of the Whole House, reported that the order as embraced in said resolution of yesterday had been complied with, and that said Committee asked to be discharged.

Which was granted.

And then the House adjourned.

FRIDAY, JANUARY 16, 1914.

The House was opened with prayer by the Rev. F. W. Eberhardt, of the First Baptist Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Luker:

H. B. 173. An Act requiring doctors to give medical attention.

To Committee on Public Health.

By Mr. Cox:

H. B. 174. An Act amending an Act entitled, An Act for the protection of Game and Fish, approved March 12, 1912.

To Committee on Fish and Game.

By same:

H. B. 175. An Act for the protection of Game and Fish,

providing for nonresident fishing and trapping license and repealing certain sections thereof, Carroll's 1909 edition of the Kentucky Statutes approved March 22, 1910.

To Committee on Fish and Game.

By Mr. Fraser:

H. B. 176. An Act to regulate the running at large of certain species of dogs during certain seasons of the year, for the purpose of protecting our quail.

To Committee on Fish and Game.

By Mr. McDyer:

H. B. 177. An Act providing for an adequate system of accounting in the several counties of this State.

To Committee on Revenue and Taxation.

By Mr. Duffy, Jno. C.

H. B. 178. An Act to amend Section 203 of the Criminal Code of Practice.

To Committee on Codes of Practice.

By Mr. Gum:

H. B. 179. An Act to amend Section 1686, Chapter 41, Kentucky Statutes, to prevent bribery in elections.

To Committee on Suffrage and Elections.

By Mr. Walton:

H. B. 180. An Act to promote the Safety of travel, shippers and employes upon railroads by compelling the proper manning of trains by common carriers.

To Committee on Railroads.

By Mr. Pumphrey:

H. B. 181. An Act to amend Section 653, Chapter 32, Article 4, Sub-division 2, of the Kentucky Statutes, designating and establishing the standard for the calculation of the net values of policies of life insurance companies doing business in this Commonwealth, setting forth the duty of the Insurance Commissioner when the funds of any such company may not be equal to its liabilities, and the penalties for violations of the provisions of this section of the law.

To Committee on Insurance—Life and Accident.

By same:

H. B. 182. An Act to amend section 687, Chapter 32, Article 4, Sub-division 4, Kentucky Statutes, regulating the risks to be taken by Insurance Companies, other than life, the character of risks that may be taken, the deposit to be made by certain companies with the Treasurer, the reports of such companies, the limit of risks, and liability of officers for exceeding limit.

To Committee on Insurance—Fire and Marine.

By Mr. Hampton:

H. B. 183. An Act relating to the establishment, protection and building of levees for the public benefit.

To Committee on Public Ditches and Fences.

By Mr. Mount:

H. B. 184. An Act to amend an Act entitled an Act relating to revenue and taxation, providing for a license tax on bonded compounded, adulterated or rectified distilled spirits known and designated as single stamp spirits, and providing penalties for violation of its provisions, said Act was passed by the General Assembly at a special session in 1906.

To Committee on Revenue and Taxation.

By Mr. Mount:

H. B. 185. An Act to amend an Act prohibiting the use of public drinking cups, signed by the Governor March 13, 1912.

To Committee on Public Health.

By same:

H. B. 186. An Act to amend Section 14a, General Statutes, approved January 13, 1893, be amended so as to strike out the words "less than one hundred dollars" and insert in lieu thereof "one thousand dollars."

To Committee on Kentucky Statutes.

By Mr. Meyers, H. J.:

H. B. 187. An Act to repeal and re-enact Sub-sections 1 and 6 of Section 2942a, Kentucky Statutes, Carroll's edition 1909, and Sections 4 and 5 of Chapter 102 of the Acts

of 1912, relating to the care of the Capitol buildings and grounds.

To Committee on State Capitol.

By same:

H. B. 188. An Act to provide State aid to counties in building or reconstructing public roads with metal, stone or gravel.

To Committee on Public Roads and Highways.

By Mr. Cary:

H. B. 189. An Act to repeal an Act, entitled An Act relating to weights, measures and balance and the appointment of an inspector of weights and measures for counties, being Chapter 90, Acts 1912.

To Committee on Public Warehouses and Granaries.

By same:

H. B. 190. An Act to repeal an Act entitled an Act to amend an Act entitled an Act to create a Board of Prison Commissioners and regulate the penal institutions of this Commonwealth, and passed on March 15, 1908, over the vote of the Governor of Kentucky, and the same being the veto beginning on page 8 and running to and including page 26 of the printed Acts of the session of 1908 of the General Assembly of Kentucky; and to further regulate the management of the penal institutions of this Commonwealth passed at the 1912 session of the General Assembly, and approved by the Governor on March 1, 1912, and creating a Board of Commissioners to be known as the Kentucky State Board

of Control for Penal and Charitable Institutions, and to repeal sub-division 1, 2 and 3 of Section 217a of Carroll's Statutes, and to repeal and re-enact sub-sections 15 and 24 of Section 217a, and Sections 3799, 3805, 3897 and 3812 and Sub-section 2 of Section 2095a, and Sections 361 and 2046 of Carroll's Statutes, edition of 1909.

To Committee on State Prisons and Houses of Reform.

By Mr. Hays:

H. B. 191. An Act to prevent the soliciting of orders for whisky or other intoxicating liquors in local option territory.

To Committee on Alcoholic Liquor Traffic.

By same:

H. B. 192. An Act to change the time of holding the regular terms of the circuit courts in the county of Cumberland in the 29th Judicial District.

To Committee on Circuit Courts.

By Mr. Lay:

H. B. 193. An Act relating to stub books used in regular and primary elections.

To Committee on Suffrage and Elections.

The Speaker laid before the House the following communication from the Senate, viz.:

The Commonwealth of Kentucky.
In Senate.

Thursday, January 15, 1914.

Whereas, the special committee appointed to investigate the public offices and institutions to which appropriations have been made, did on Wednesday, January 14, 1914, make a partial report relating to the State Board of Health and offering an accompanying resolution both of which were unanimously adopted; now, therefore,

Be it resolved by the Senate:

That the clerk be instructed to certify a copy of said report and resolution to the Attorney General's office for its guidance and information, also a copy of each to the House of Representatives.

Attest: WILEY L. DIXON,
Chief Clerk Senate.

The Commonwealth of Kentucky.
In Senate.

Thursday, January 15, 1914.

Whereas, the special committee to investigate the public offices and institutions to which an appropriation has been made, have reported as to the State Board of Health; therefore,

Be it resolved by the Senate of the Commonwealth of Kentucky:

That the report of the Inspector and Examiner concerning the State Board of Health be referred to the Attorney General of the Commonwealth of Kentucky, with direction that he take such action as to him may seem proper to recover from the proper parties all sums, if any, which have been improperly paid out by the Board of Health.

Be it further resolved, That the Chairman of this com-

mittee is directed to introduce this resolution in the Senate for and on behalf of the Committee.

Attest:

WILEY L. DIXON,
Chief Clerk of the Senate.

The Commonwealth of Kentucky.

In Senate.

Thursday, January 15, 1914.

Your committee appointed to investigate the various public offices and institutions, to which appropriations have heretofore been made, beg leave to make a partial report as follows:

1. The last Legislature by resolutions, instructed the State Inspector and Examiner to investigate the State Board of Health, and report his findings to his Excellency, the Honorable James B. McCreary, Governor of Kentucky.

2. Said investigation has been made, and the report of same has been placed upon the desk of each Senator of the General Assembly, it is a most comprehensive report, fearlessly drawn, and ably edited, setting out in full the income, and from what sources derived; the expenditures, and to whom paid. Among the many items referred to in said report, your committee makes reference to the items under the head "Recapitulation of the amounts due the State." On page 60, of said report, which amount in the aggregate to $62,988.18, and recommend that the attention of the State's legal department be called to these items, and that said department be instructed to investigate same, and take such steps in reference thereto as may seem to that department proper.

3. We further recommend the passage of the accompanying resolution.

4. We also recommend the passage of a bill authorizing the removal of the State Board of Health from the City

of Bowling Green, Kentucky, to the City of Frankfort, the capital of your State.

All of which is respectfully submitted.

(Signed)

WALKER C. HALL, Chairman,
CHAS. H. KNIGHT,
G. G. SPEER,
W. W. BOOLES,
H. G. OVERSTREET,
Committee.

Attest: WILEY L. DIXON,
Chief Clerk of the Senate.

Which was read and ordered to be referred to the Committee on Judiciary.

Mr. Spahn offered the following resolution, viz.:

Whereas, in order to make all investigations free from prejudice, open and fair,

Be it resolved, That any member who offers a resolution providing for an investigation shall not be appointed on the investigating committee.

Mr. James T. Webb moved to postpone the further consideration of said resolution indefinitely.

Said motion was disagreed to.

Said resolution was adopted.

Mr. H. J. Meyers moved to reconsider the vote by which said resolution was adopted and that said motion lie on the table.

Said motion was agreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

H. Res. 1. Resolution for the employment and appointment of certain persons and for the payment of certain contingent expenses of this General Assembly, and providing the mode of payment thereof.

H. Res. 3. Resolution instructing our Senators and requesting our Representatives in the Congress of the United States to urge the selection of the City of Louisville as one of the Reserved Cities, under the Federal Reserve Act of Congress of the United States.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said resolutions.

Ordered that the Enrolling Clerk deliver said resolutionstions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Davis offered the following joint resolution, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Inspector and Examiner be requested to furnish the General Assembly of Kentucky with a list of the names of the various officials and employes in the different departments and institutions of the Commonwealth of Kentucky, the salary of each official and employe and the work and duties performed by each.

Be it resolved, That a committee of three be appointed by the Speaker of the House, and a committee of three be appointed by the President of the Senate to make such request of the State Inspector and Examiner.

Which was read and ordered to lie on the Clerk's desk.

Mr. Greene of the Board, which was heretofore selected and sworn to try the contest case of N. C. Tilford, contestant, vs. Yeaman Watkins, contestee, from the County of Grayson, in which the right to a seat in this House is brought into contest, tendered the following report of said Board, viz.:

To the House of Representatives of Kentucky:

We, the undersigned members of the contest committee, drawn to try the questions of law and fact, arising and appertaining to the contest of N. C. Tilford vs. Yeaman Watkins, the sitting member of the House, from the Twenty-seventh Legislative District, Grayson County of Kentucky, beg leave to report as follows:

That the following committee composed of Representatives, L. J. Parrigin, C. W. Burton, J. F. Dryer, J. D. Pumphrey, D. H. Hillman, Richard Radcliffe and Frank C. Greene, did on the 7th day of January, 1914, proceed to hear and determine the said contest. Contestant and contestee were present in person and by counsel, Brown and Nuckles, of Frankfort, and W. O. Jones, of Leitchfield, Kentucky, as

attorney for contestant, and Thos. B. McGregor, of Frankfort and ..... Stone, of Leitchfield, Ky., appearing as counsel for contestee.

The grounds set forth in the notice of contest were:

1. That in certain precincts in Grayson County, there were illegal votes cast and counted for contestee that should not have been counted by reason of numerous technicalities, and

2. That in Spring Lick precinct in said Grayson county the ballots were improperly counted, giving the contestee more votes than he should have been given and that a recount of said ballots would disclose that contestant and not contestee was entitled to the certificate of election on the face of the proper returns.

The contestee by counter notice denied both of the above named grounds, and set forth that certain votes cast and counted for contestant were illegal because of certain technicalities.

The proof consisted entirely, with the exception of one ballot box and contents, in a great number of depositions offered by both contestant and contestee, all of which your committee patiently heard. It being disclosed from the notice and from other evidence that it was necessary to have produced for inspection the said ballot box of Spring Lick precinct, the Sergeant-at-Arms, Oscar Vest, being provided with proper papers went to Leitchfield and produced before this committee said box, which, after the conclusion of the reading of said depositions, and in the presence of all persons concerned, together with counsel, and in the presence of the whole committee, was opened and the vote of said Spring Lick precinct recounted, resulting in the disclosure that contestant was entitled to thirty votes more than he was given by the officers' returns, and contestee was found to have been credited with twelve more than he was entitled to.

On the face of the returns contestee was given his certificate of election by a majority of sixteen votes, hence we de-

duct the twelve votes in Spring Lick Precinct to which contestee was not entitled, leaving him with four votes, and taking these four votes from the thirty votes to which cntestant is clearly entitled on the recount of said Spring Lick precinct, leaves a vote of twenty-six majority for Tilford and the face of the returns should have so shown.

Your committee refused to disturb the votes claimed by each party to have been illegally cast and counted for the one party or the other upon the ground that they would not change the result of this finding, and we determine this contest wholly upon the disclosures of the Spring Lick ballot box. From the evidence it seems that both contestant and contestee were somewhat uneasy about the result of a recount of said ballot box, as the proposition was first made by the contestant that the decision rest upon said disclosures, and same was refused by said contestee, and later contestee proposed to let the matter be decided by the result of the recount of said Spring Lick votes in said ballot box, and same was refused by contestant.

Therefore, your committee finds that the contestant N. C. Tilford, was duly and fairly elected to represent Grayson County, and the Twenty-seventh Legislative District in this branch of the General Assembly by a majority of twenty-six votes and that said N. C. Tilford is entitled to the seat now held by contestee, Yeaman Watkins.

We return herewith all of the papers and all the evidence offered to or considered by the committee. All of which is most respectfully submitted to this Honorable body, this January 16th, 1914.

FRANK C. GREENE, *Chairman.*
JOHN F. FRYER,
J. D. PUMPHREY,
C. W. BURTON,
D. H. HILLMAN,
RICHARD RADCLIFFE,
LYMAN J. PARRIGIN.

Which was received and read.

Mr. Phelps moved to postpone the further consideration of said report, and that the same be made the special order of the day on Tuesday next, the 20th inst., at 10 o'clock A. M.

Said motion was agreed to.

Mr. Saufley offered the following resolution, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Clerk of the House of Representatives is hereby directed to have the State Printer furnish twenty-five copies of House Bill No. 45 and the Report of the Special Tax Committee, relating to the proposed new act providing a system of revenue and taxation, for the State, for each member of the House and Senate, same to be in wrappers, stamped and ready for addressing and mailing. Same to be paid for as a necessary contingent expenses of the General Assembly of Kentucky, for which the Auditor of Public Accounts is hereby directed to draw his warrant upon the State Treasurer on certification of the clerks of the respective Houses.

Mr. Saufley moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry Avery	W. L. Hampton	Lilburn Phelps
Geo. B. Barrett	V. D. Hammond	John A. Polin
J. M. Billeter	J. B. Harvey	W. A. Price
H. C. Blades	H. H. Hays	J. D. Pumphrey
Joseph Boitnott	Dr. S. L. Henry	Richard Radcliffe
Elmer L. Brown	J. J. Huff	Dr. W. R. Ray
C. W. Burton	R. B. Hutchcraft Jr.	Stanley F. Reed
Glover H. Cary	J. M. Johnson	S. H. Rogers
Ed. F. Cecil	T. R. Jones	W. E. Rogers
J. G. Coke, Jr.	Griffin Kelly	B. T. Rountree
Benjamin L. Cox	John H. Kleete	S. M. Saufley
George T. Davis	J. C. Lay	A. W. Sharp
James R. Dorman	Simon B. Lott	L. M. Smith
John W. Douglas	Geo. M. McDowell	Adam Spahn
John Drescher	John McDyer	Ed. D. Stone
John C. Duffy	W. T. McNally	Louis Tieman
William Duffy	John G. Miller, Jr.	Samuel Turley
Odie Duncan	T. T. Mobley	M. S. Walton, Jr.
G. P. Durrett	J. R. Mount	Yamen Watkins
M. J. Farris, Jr.	Harry J. Myers	John F. White
W. N. Flippin	Zach. L. Myers	N. B. White
Ed Frost	John E. Newman	J. D. Wills
Frank C. Greene	C. B. Nichols	Roy S. Wilson
C. M. Gum	S. Mazyck O'Brien	
E. V. Hall	Lyman J. Parrigin	—73

Those who voted in the negative were—

Peter Ampler	C. R. Luker	James T. Webb
H. C. Duffy	W. A. Shawler	Douglas G. Wood
W. B. Harvey		—7

Mr. W. M. Duffy offered the following resolution, viz.:

Whereas, the State Examiner and Inspector has made a report on the affairs of the Kentucky Childrens Home So-

ciety, located at Louisville, Kentucky, showing the expenditure of a large sum of money without warrant or authority of law, and

Whereas, said report also shows the expenditure of the sum of seven hundred dollars by Mr. Sehon, the Superintendent of said Home, in lobbying and securing an appropriation from the General Assembly of 1912; now, therefore,

Be it resolved, That the Attorney General of this Commonwealth be and is hereby urged to institute proceedings to recover said amount from those responsible for said expenditure, and the said George Sehon is hereby requested to furnish this General Assembly an itemized account of his said expenses in securing said legislation.

Mr. Walton offered the following amendment to said resolution. Add to the end thereof the following namely: "And that the Attorney General take whatever steps he may deem necessary to have the title to the real estate purchased by said Society with State funds, transferred to this Commonwealth.

Said amendment was agreed to.

Said resolution as amended was adopted.

Mr. Phelps called up for consideration from the Clerk's desk the resolution offered by him on yesterday, entitled:

H. Res. 9. Resolution that Kentucky Statutes be furnished to each member of the General Assembly, and that the Codes of Practice be furnished to certain committees. (For Resolution see yesterday's Journal.)

Mr. John C. Duffy offered the following amendment to said resolution:

Amend by striking out the words "one hundred" and also the word "thirty" and insert in lieu thereof the word "ten."

Said amendment was disagreed to.

Mr. Cary offered the following amendment to said resolution, viz.: Strike out the words and figures following, viz.: "The Kentucky Statutes shall be furnished to each member by the Librarian upon request of the member, and at any time during the session a member of either House may purchase the copy of Kentucky Statutes in his possession at the price of five dollars, and the Codes of Practice furnished as herein provided may be sold to members of either House at the price of three dollars each, but the Codes are not to be delivered to purchasers until the end of the session," and insert in lieu thereof the following:

"That each member of the General Assembly desiring a copy of the Statutes and Code, may make application to the Librarian, and that said Librarian be instructed to furnish such copies, and that each member be required to pay for said copies the actual cost of same, which shall be the property of said member."

Said amendment was disagreed to.

Mr. W. B. Harvey moved that said resolution be laid on the table.

Said motion was disagreed to.

Mr. Ray moved that the session of today be extended indefinitely.

Said motion was disagreed to.

Said resolution was then disagreed to.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	E. V. Hall	Lilburn Phelps
Henry Avery	J. B. Harvey	John A. Polin
Geo. B. Barrett	D. H. Hillman	J. D. Pumphrey
J. M. Billeter	J. J. Huff	W. E. Rogers
John W. Douglas	John H. Kleete	Louis Tieman
H. C. Duffy	J. C. Lay	Yamen Watkins
William Duffy	C. R. Luker	Douglas G. Wood
Frank C. Greene	S. Mazyck O'Brien	
C. M. Gum	Lyman J. Parrigin	—25

Those who voted in the negative were—

H. C. Blades	W. L. Hampton	C. B. Nichols
Joseph Boitnott	V. D. Hammond	Richard Radcliffe
Elmer L. Brown	W. B. Harvey	Dr. W. R. Ray
C. W. Burton	H. H. Hays	Stanley F. Reed
Glover H. Cary	W. E. Heninger	S. H. Rogers
Ed. F. Cecil	Dr. S. L. Henry	S. M. Saufley
J. G. Coke, Jr.	R. B. Hutchcraft Jr.	A. W. Sharp
Benjamin L. Cox	J. M. Johnson	W. A. Shawler
George T. Davis	T. R. Jones	L. M. Smith
James R. Dorman	Griffin Kelly	Ed. D. Stone
John Drescher	William J. Kuh	W. T. Stott
John C. Duffy	Simon B. Lott	Samuel Turley
Odie Duncan	W. T. McNally	M. S. Walton, Jr.
G. P. Durrett	John G. Miller, Jr.	James T. Webb
M. J. Farris, Jr.	T. T. Mobley	John F. White
W. N. Flippin	J. R. Mount	N. B. White
Vert C. Fraser	Zach. L. Myers	J. D. Wills
Ed Frost	John E. Newman	M. O. Wilson—54

Mr. Walton offered the following resolution, viz.:

JOINT RESOLUTION NO. 11.

Whereas, it appears from the reports of the State Inspector and Examiner, upon the divers departments and institutions of this Commonwealth that said departments and institutions have heretofore and are now procuring warrants from the State Auditor for their annual and Special appropriations in lump sums, without submitting itemized statements to said Auditor and securing warrants only for the sums lawfully spent in said statements, and;

Whereas, this Commonwealth pays 5 per cent interest on said warrants, though the sums for which they are drawn have not been legally expended at the time of said withdrawal, and;

Whereas, warrants for large portions of the annual and special appropriations to all of the said departments and institutions, have not as yet been procured by them from the Auditor of this Commonwealth, but may be secured between this date and the end of the Fiscal year, to-wit, July 1, 1914; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That no warrants shall be hereafter drawn for any appropriations heretofore made for the fiscal year ending July 1, 1914, by the State Auditor, except for sums legally spent theretofore, which shall be set forth by the department or institution securing same in a written and itemized monthly statement, and the Auditor of this Commonwealth is hereby directed to conform hereto.

Said resolution was read and ordered to lie on the Clerk's desk.

Mr. Nichols called up for consideration from the Clerk's desk a resolution entitled:

H. Res. 8. Resolution providing for the standing committees to visit the public institutions of this State. (For said resolution see yesterday's Journal.)

Mr. McCormick offered the following amendment to said resolution, viz.:

Amend by adding thereto "That the Committee on Public Health be authorized to visit and inspect the offices and laboratories of the State Board of Health."

Said amendment was disagreed to.

Said resolution was disagreed to.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Joseph Boitnott	John A. Polin
H. C. Blades	J. G. Coke	W. A. Shawler—6

Those who voted in the negative were—

Harry Avery	John W. Douglas	Vert C. Fraser
Geo. B. Barrett	H. C. Duffy	Frank C. Greene
Elmer L. Brown	John C. Duffy	C. M. Gum
C. W. Burton	William Duffy	E. V. Hall
Glover H. Cary	Odie Duncan	W. L. Hampton
Ed. F. Cecil	G. P. Durrett	V. D. Hammond
Benjamin L. Cox	Thomas J. Evans	J. B. Harvey
George T. Davis	M. J. Farris, Jr.	W. B. Harvey
James R. Dorman	W. N. Flippin	H. H. Hays

W. E. Heninger
Dr. S. L. Henry
J. J. Huff
R. B. Hutchcraft Jr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Klette
William J. Kuh
J. C. Lay
Simon B. Lott
C. R. Luker
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
Lyman G. Parrigin
Lilburn Phelps
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
B. T. Rountree
S. M. Saufley
A. W. Sharp
L. M. Smith
Adam Spahn
Ed. D. Stone
W. T. Stott
Louis Tieman
Samuel Turley
M. S. Walton, Jr.
Yamen Watkins
James T. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
Douglas G. Wood

—73

A message was received from the Senate announcing that they had concurred in a joint resolution of the following title, viz.:

H. Res. 6. Resolution providing for the placing of the Governor's message on the desks of the members of this General Assembly and of the Governor.

Mr. H. J. Meyers moved that the House do now adjourn until Monday next, the 19th inst., at 12 o'clock Meridian.

Said motion was agreed to.

And then the House adjourned.

MONDAY, JANUARY 19, 1914.

The House was opened with prayer by the Rev. H. G. Turner, of the Methodist Episcopal Church (South) of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Sharp:

H. B. 194. An Act to prohibit the standing or licensing of blind or weak-eyed stud-horses, jack-asses and bulls in this Commonwealth.

To Committee on Agriculture.

By Mr. McDyer:

H. B. 195. An Act relating to the unlawful giving of checks and drafts for value, and fixing punishment therefor.

To Committee on Banks and Banking.

By Same:

H. B. 196. An Act to create and establish a system of

public State roads and to provide for the construction and maintenance thereof.

To Committee on Public Roads and Highways.

By Mr. Rountree:

H. B. 197. An Act to promote agriculture by providing for the inspection of agricultural seeds.

To Committee on Agriculture.

By Mr. Greene:

H. B. 198. An Act permitting any Sheriff to take replevin bond in satisfaction of a capias pro fine.

To Committee on Kentucky Statutes.

By Same:

H. B. 199. An Act permitting struck juries to sit in civil cases and setting out manner of selection.

To Committee on Circuit Courts.

By Mr. Phelps:

H. B. 200. An Act to amend an Act entitled, "An Act to provide for holding Circuit Courts and the trial of cases therein when from any cause the Judge shall fail to attend, or if in attendance, can not properly preside, by repealing section 6 thereof and substituting a compensation of twelve dollars per day for the time actually engaged.

To Committee on Circuit Courts.

By Same:

H. B. 201. An Act requiring persons hereafter elected to office to take in addition to the oaths now prescribed by law, an oath that they have not violated the laws against bribery in elections within one year next preceding their election.

To Committee on Suffrage and Elections.

By Same:

H. B. 202. An Act authorizing Jailers to execute a capias pro fine.

To Committee on Circuit Courts.

By Mr. Jno. C. Duffy:

H. B. 203. An Act to enable cities of the third class to adopt a commission form of government.

To Committee on Municipalities.

By Mr. Walton:

H. B. 204. An Act to prohibit the Attorney General, his assistants, Commonwealth, County and City Attorneys and their assistants, and all judicial officers of this Commonwealth from accepting or holding employment of or by any public service corporation, and to prohibit such named corporations from employing or keeping in their employment, the officers designated.

To Committee on Judiciary.

By Same:

H. B. 205. An Act prescribing the liability of an employer to make compensation by way of damages for injuries due to accident received by an employe arising out of and in the course of employment modifying common law and statutory remedies and defenses in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability, and providing methods for payments of compensation thereunder.

To Committee on Compensation for Industrial Injuries.

By Mr. Hampton:

H. B. 206. An Act prohibiting the shipment of liquors for sale in local option territory and prohibiting persons from having in possession for sale liquors in such territory.

To Committee on Alcoholic Liquor Traffic.

By Mr. Mount:

H. B. 207. An Act to create the office of county tax receiver.

To Committee on County and City Courts.

By Same:

H. B. 208. An Act to reduce the compensation of the members of the General Assembly of Kentucky.

To Committee on Ways and Means.

By Mr. Jas. T. Webb:

H. B. 209. An Act entitled, "An Act providing in actions for recovery for personal injuries through negligence that contributory negligence shall only reduce or mitigate the amount of recovery, and shall not be a complete defense.

To Committee on Judiciary.

By Mr. Durrett:

H. B. 210. An Act to provide for the appointment of a school tax collector in counties and cities where the Sheriff or other tax collector has been removed or disqualified, or fails to qualify.

To Committee on Education No. 1.

By Same:

H. B. 211. An Act to prohibit the public service corporation from charging unlawful toll or compensation.

To Committee on Railroads.

By Mr. Radcliffe:

H. B. 212. An Act to procure the fair assessment of property by prohibiting the Assessor from seeking the office of Sheriff.

To Committee on Revenue and Taxation.

By Same:

H. B. 213. An Act to repeal an Act entitled, An Act

relating to weights, measures and balances and the appointment of an inspector of weights and measures for counties.

To Committee on Public Warehouses and Granaries.

By Mr. McNally:

H. B. 214. An Act to provide for the regulation of the payment of salaries to persons employed by institutions to which the State provides support.

To Committee on Charitable Institutions.

By Mr. Klette:

H. B. 215. An Act to amend Section 1947 of Carroll's edition of the Kentucky Statutes, the same being an Act to prohibit the trapping or snaring of quail, partridge or pheasant.

To Committee on Fish and Game.

By Mr. H. J. Meyers:

H. B. 216. An Act to amend Section 805, Kentucky Statutes.

To Committee on Railroads.

By Mr. Saufley:

H. B. 217. An Act for taking the sense of the people of this State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution and the amendments thereto.

To Committee on Constituional Amendments.

By Mr. Coke:

H. B. 218. An Act to amend Section 113, Subsection 4 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Same:

H. B. 219. An Act to amend subdivision 2 of Section 113 of Chapter 7 of Carroll's 1913 Kentucky Code of Practice, Civil.

To Committee on Codes of Practice.

By Mr. Reed:

H. B. 220. An Act to regulate the labor and employment of children and minors and to make the provisions thereof effective.

To Committee on Immigration and Labor.

By Mr. Miller:

H. B. 221. An Act submitting to the voters of the State an amendment of the Constitution relating to equal suffrage.

To Committee on Equal Suffrage.

By Mr. Ray:

H. B. 222. An Act to repeal Chapter 97, Session Acts

of 1912, entitled, An Act to amend an Act entitled, "Crimes and Punishments."

To Committee on Alcoholic Liquor Traffic.

By Mr. Hillman:

H. B. 223. An Act relating to care and treatment of persons addicted to the intemperate use of narcotics or stimulants.

To Committee on Public Health.

By Same:

H. B. 224. An Act authorizing counties of this State to own and operate ferries.

To Committee on County and City Courts.

By Mr. Polin:

H. B. 225. An Act to amend an Act entitled, An Act for the creation and regulation of private corporations, being an Act relating to the subject of insurance and the transaction of the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan.

To Committee on Insurance, Life and Accident.

By Mr. Reed:

H. B. 226. An Act to repeal Chapter 89, subdivision 11, the same being Sections 3588 to 3606, inclusive, Kentucky Statutes, Carroll's edition of 1909, relating to public schools

in cities of the fourth class, and to enact in lieu thereof a model school law applicable to all cities of the fourth class.

To Committee on Cities of the Fourth Class.

By Mr. Johnson:

H. B. 227. An Act to amend an Act entitled, An Act for the government of cities of the fifth class, approved July 3, 1893.

To Committee on Cities of the Fifth and Sixth Class.

The following communication from the Governor was received, viz.:

January 19, 1914.

To The House of Representatives of Kentucky:

I will have a reception at the new mansion Tuesday evening, January 20, 1914, from eight to twelve o'clock, and I will be pleased to meet all Representatives, officers and appointees of the House of Representatives, who will do me the honor to be present.

Respectfully,
JAMES B. MCCREARY, *Governor.*

Mr. McCormack moved that said invitation be accepted.

Said motion was adopted unanimously.

Mr. Greene offered the following resolution, viz.:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky, in 1914 *Session,*

That the Auditor of this State be directed to prepare and

furnish to the House, while in session, and at a date not later than Tuesday, January 27, 1914, a full and complete list of employes of the State of Kentucky, and an itemized statement of the bills paid and lodged for payment, representing the traveling expenses of each person so employed. That such list shall set out the name of each person, and the duties of such person, and the period of such expense, to be from January 1st, 1913, to January 1, 1914.

The Clerk of this House will at once advise the Auditor of this resolution, and furnish to him a copy thereof.

Said resolution was adopted.

Mr. Hamilton presented the petition of sundry citizens of McCreary County and the Thirty-fourth Judicial District of this State, asking that the House of Representatives shall prepare and present to the Senate of Kentucky articles of impeachment of Flem D. Sampson, Judge of the Thirty-fourth Judicial District of Kentucky, said district being composed of the Counties of Whitley, Knox and McCreary.

Said petition was received, its reading dispensed with, and was ordered to be referred to a special committee, to be appointed by the Speaker of this House, to be composed of seven members of the House, in accordance with the resolution which immediately follows, offered by Mr. Hamilton, viz.:

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

§ 1. That a committee, to be composed of seven members of this House, be appointed by the Speaker to take into consideration the petition of C. Cordell and others, this day presented to the House by Elwood Hamilton, a member of

this House, and that said committee be instructed to inquire into the official conduct of Flem D. Sampson, Judge of the Thirty-fourth Judicial District of Kentucky, and one of the Circuit Court Judges of this Commonwealth, and to report their opinion whether there are reasonable and just grounds to believe that said Flem D. Sampson has committed any misdemeanors in his aforesaid office of Circuit Court or District Court Judge, or has been guilty of any such misdemeanors in relation to or in connection with said office, and whether he has so acted in his official capacity as to require the interposition of the Constitutional power of this House, either by impeachment or otherwise.

§ 2. That the committee authorized by and appointed under this resolution be and it is hereby granted power to send for persons, papers and records, in so far as it may be necessary or be deemed necessary so to do to enable the Committee to investigate, ascertain and report upon the matters submitted to it by this resolution.

Said resolution was adopted.

Mr. Ray offered the following resolution, viz.:

Resolved, 1. That the Committee on Appropriations be and are hereby authorized and instructed to investigate and report to this House under what provisions of law the Inspector and Examined has certified and had paid the hotel bills of his assistant, Mr. W. B. White, during the two years he has been a resident of this city, amounting to a large sum, and the traveling expenses of the said White to and from Mt. Sterling to visit his family, at the end of each week.

2. That said committee shall inquire into and report to this House what influences and combinations, if any, were brought to bear to force our great old Governor, over his protest, of his inexperience and lack of fitness for said position, to appoint Hon. Sherman Goodpaster as State Inspec-

tor and Examiner, and the committee is hereby authorized and empowered to secure the attendance of witnesses, order the necessary protection of any necessary books and records, and do other things essential in conducting such investigation.

Mr. McCormack moved to amend said resolution as follows:

Amend by striking out the second part of said resolution.

Mr. Walton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. John C. Duffy moved that said resolution and amendment be laid on the table.

Said motion was agreed to.

Mr. Davis offered the following joint resolution, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Inspector and Examiner be requested and instructed to furnish to the General Assembly of the Commonwealth of Kentucky, as soon as practicable, a classified list of the names, addresses, work and duties performed by, and salaries and wages paid to each and every official, and employe, on the State's pay roll in each and every department and institution of the Commonwealth of Kentucky, and in, around and about the Capitol Building, and other buildings under the supervision and control of the Commonwealth of Kentucky.

Be it resolved, That a committee of three be appointed by

the Speaker of the House of Representatives, and a committee of three by the President of the Senate, to wait upon the State Inspector and Examiner and request such information.

Mr. Davis moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was then adopted.

The yeas and nays being required thereon by Messrs. Hamilton and Wm. M. Duffy, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	Richard Radcliffe
Harry Avery	W. E. Henninger	Dr. W. R. Ray
James W. Barrall	Dr. S. L. Henry	W. E. Rogers
J. M. Billeter	J. J. Huff	B. T. Rountree
Ed. F. Cecil	R. B. Hutchcraft Jr.	S. M. Saufley
Benjamin L. Cox	J. M. Johnson	A. W. Sharp
George T. Davis	T. R. Jones	Ed. D. Stone
James R. Dorman	J. C. Lay	W. T. Stott
John W. Douglas	C. R. Luker	Louis Tieman
H. C. Duffy	Dr. J. N. M'Cormack	M. S. Walton, Jr.
William Duffy	J. R. Mount	Yamen Watkins
G. P. Durrett	Harry J. Myers	James T. Webb
M. J. Farris, Jr.	Zach. L. Myers	W. M. Webb
W. N. Flippin	C. B. Nichols	John F. White
Vert C. Fraser	A. W. Palmer	N. B. White
Frank C. Greene	Lyman G. Parrigin	J. D. Wills
C. M. Gum	Lelburn Phelps	Douglas G. Wood
E. V. Hall	John A. Polin	
W. L. Hampton	W. A. Price	—54

Those who voted in the negative were—

Joseph Boitnott	D. H. Hillman	John E. Newman
Elmer L. Brown	Griffin Kelly	S. Mazyck O'Brien
C. W. Burton	John H. Klette	William A. Perry
J. G. Coke, Jr.	William J. Kuh	Dr. T. J. Poteet
William Duffy	Simon B. Lott	J. D. Pumphrey
Thomas J. Evans	John McDyer	Stanley F. Reed
Elwood Hamilton	W. T. McNally	Samuel Turley
V. D. Hammond	John G. Miller, Jr.	Roy S. Wilson
H. H. Hays	T. T. Mobley	—27

Mr. Davis moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Walton called up for consideration from the Clerk's desk a joint resolution, offered by him on Friday last, entitled H. Res. 11. Resolution specifying how warrants shall be drawn in favor of departments and public institutions.

(For said resolution see House Journal of January 16.)

Mr. Nichols offered the following amendment to said resolution, "Add at the end of said resolution the following, 'Where the Auditor is now dividing up appropriations to any of the educational institutions into monthly installments, this resolution shall not interfere with that arrangement.' "

Mr. McCormack moved that the further consideration of said resolution be postponed, and that the same be made a special order of the day for Thursday, January 22, at 12 o'clock meridian.

Said motion was disagreed to.

The amendment as proposed by Mr. Nichols to said resolution was disagreed to.

Said resolution was then adopted.

Mr. Walton moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 20, 1914.

The House was opened with prayer by the Rev. J. R. Zeigler, of the First Presbyterian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Farris:

H. B. 228. An Act to appropriate three thousand dollars to enable the Commissioners of the Perryville Confederate Monument to purchase additional ground.

To Committee on Public Monuments and Historical Records.

By Mr. Duffy, Jno. C.:

H. B. 229. An Act to amend Chapter 75 of the Acts of the General Assembly of 1912, assigning cities and towns of this Commonwealth to the class to which they belong.

To Committee on Classification of Cities and Towns.

By Mr. Douglas:

H. B. 230. An Act to provide for the return of tuition to pupils from commercial schools, business schools, business colleges, and business universities.

To Committee on State University and Normal Schools.

By Mr. Webb, Jas. T.:

H. B. 231. An Act to repeal and re-enact Sub-section 2 of Section 552, title 13, Chapter 3, Article 2, of the Civil Code of Practice, authorizing a trial of equity cases by oral testimony.

To Committee on Codes of Practice.

By same:

H. B. 232. An Act to amend Sub-section 1 of Section 428, title 10, Chapter 3, of the Civil Code of Practice, and regulating suits against decedent estates.

To Committee on Codes of Practice.

By Mr. Walton:

H. B. 233. An Act making it unlawful for certain offi-

cers to receive service at free or reduced rates from public service corporations, or for public service corporations to give service at free or reduced rates to certain public officers, and prescribing the punishment for the breach thereof, together with the jurisdiction for the trial of offenses committed thereunder.

To Committee on Public Utilities.

By Mr. Price:

H. B. 234. An Act limiting the number of cars in a train.

To Committee on Railroads.

By same:

H. B. 235. An Act to amend an Act entitled an Act creating Boards of Education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

To Committee on Municipalities.

By Same:

H. B. 236. An Act authorizing Boards of Education in cities of the second class to create a fund for protection against fire and other casualties.

To Committee on Municipalities.

By Mr. Hamilton:

H. B. 237. An Act to regulate the admission of attorneys to practice law.

To Committee on Judiciary.

By Mr. Newman:

H. B. 238. An Act to amend Chapter 108 of Sessions Acts of 1912 entitled, An Act to amend an Act entitled an Act to further regulate the Bureau of Agriculture, Labor and Statistics, approved March 17, 1902, being Section 33a of the Kentucky Statutes.

To Committee on Agriculture.

By Mr. Hall:

H. B. 239. An Act to amend Section 3637, Kentucky Statutes, relating to the powers of the city council of cities of the fifth class in this Commonwealth.

To Committee on Cities of the Fifth and Sixth Class.

By same:

H. B. 240. An Act to amend Section 845, Kentucky Statutes, relating to the rates of tolls over bridges crossing streams in this Commonwealth.

To Committee on Public Bridges.

By Mr. Fryer:

H. B. 241. An Act requiring counties to furnish their own Veterinary Surgeons.

To Committee on Agriculture.

By Mr. Meyers, H. J.:

H. B. 242. An Act to regulate license and govern use of motor vehicles.

To Committee on Public Roads and Highways.

By Mr. Stone:

H. B. 243. An Act amending an Act which was created by the General Assembly of 1906, entitled an Act to promote the sheep industry and provide a tax on dogs.

To Committee on Agriculture.

Mr. Radcliffe, of the Committee on Enrollment, reported that they had examined and found correctly enrolled Resolutions of the following title, viz.:

H. Res. 6. Resolution providing for the placing of the Governor's message on the desks of the members of this General Assembly and of the Governor.

Whereupon, all other business was suspended, said Resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution which originated in the House and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

At 10 o'clock A. M. the House took up for consideration the report of the Contest Board in the case of N. C. Tilford, contestant, v. Yeaman Watkins, contestee, from the county of Grayson, which is the special order of the day for that hour.

(For said report see H. Journal of January 16).

Mr. Phelps moved that the House do now resolve itself into a Committee of the Whole House on the state of the Commonwealth, for the purpose of hearing arguments on said report by the attorneys for both contestant and contestee.

Said motion was agreed to.

Thereupon the Speaker vacated the Chair and designated Mr. Reed to act as Chairman of said Committee.

After a time the Speaker resumed the Chair and called the House to order.

Mr. Reed, as Chairman of the Committee of the Whole, reported that said Committee had heard the arguments of the counsel as aforesaid, and now asked to be discharged, which was granted.

Mr. Phelps moved that said report be recommitted to the Board of Contest, with instructions to consider and re-

port upon all the votes alleged by either contestant or contestee to be illegal, and said committee is further instructed to report to this House how many votes, if any, should be deducted from the total vote of contestant and contestee.

Said motion was disagreed to.

Said report of the Board of Contest was then adopted.

It is therefore ordered and adjudged by the House that the contest N. C. Tilford was duly and fairly elected as Representative from the County of Grayson, at the election which was held on the 4th day of November, 1913, and is, therefore, entitled to a seat in this House as Representative from the said County of Grayson.

A message was received from the Senate announcing that they had passed bills of the following titles, viz.:

1. S. B. 1. An Act entitled An Act to amend Section 1 of an Act entitled, An Act requiring Fiscal Courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings, and prescribing penalties for failure to perform such duties, approved March 21, 1910.

2. S. B. 4. An Act to amend an Act entitled, An Act to create the thirty-fourth Judicial district of Kentucky, and to change the twenty-sixth and twenty-seventh circuit court Judicial districts, and to provide for the holding of courts in the said twenty-sixth, twenty-seventh and thirty-fourth Judicial districts, and to provide for Judges and Commonwealth Attorneys, which Act was approved March 16, 1910.

Said bills were ordered to be printed and referred, number 1 to the Committee on County and City Courts, and

No. 2. To the Committee on Circuit Courts.

Under and by virtue of a resolution which was offered by Mr. Hamilton, and adopted by this House, on yesterday.

(For Resolution see yesterday's Journal).

The Speaker announced the appointment of the following committee: Messrs. Elwood Hamilton, Chairman; James T. Webb, W. B. Harvey, John A. Polin, John E. Newman, W. T. McNally, and Samuel Turley.

Mr. John C. Duffy offered the following resolution, viz.:

Resolved, That the committee on Penal and Reformatory Institutions be directed to make trip to Eddyville, during this session, to investigate the Branch Penitentiary at Eddyville, and make report to the Senate and to the House of Representatives.

Mr. Phelps moved to postpone the consideration of said resolution until Thursday, January 22, at 10 o'clock A. M., and that the same be made the special order of the day at that hour.

Said motion was disagreed to.

Said resolution was disagreed to.

Mr. Greene offered the following resolution, viz.:

Resolved, That Sherman Goodpaster, State Inspector and Examiner of Kentucky, be requested to appear before the House of Representatives on Wednesday, January 21, from 11:30 A. M. to 12:30 P. M., and explain any details not contained in his printed report as to such offices or officers

and Charitable Institutions of the Commonwealth of Kentucky that have come under his supervision and examination, and to answer any and all questions any member of this body may propound to him, so far as he may be able so to do. The Speaker is authorized to appoint a committee of three to advise said State Inspector of this resolution.

Said resolution was agreed to.

And the Speaker appointed the following as said committee: Messrs. Greene, Evans and Scott.

Mr. Saufley offered the following resolution, viz.:

Resolved, That the Chairman of all committees of this House be required to post or have posted the calls for committee meetings on the black-board, stating the time and place of meeting at least one half hour before adjournment of the House each day. Same being for the benefit and information of members of the House and others having bills for consideration before the various committees.

Said resolution was agreed to.

Mr. McCormick offered the following resolution, viz.:

Resolved, That the Judiciary Committee is hereby instructed to investigate and report to this House as to the legality of the acceptance by Hon. L. B. Herrington of the appointment as a member of the Advisory Board of the State Geological Survey, which Board was created by an Act of the last General Assembly, of which said Herrington was a member, and what expenses or other emoluments he has received while acting on said Board, and

Be it further resolved, That said committee report to this House with what corporations or interest the said Sur-

vey was created to regulate and control, Mr. Herrington was connected financially or otherwise at the time of his appointment or since, and said committee is authorized to procure the attendance of witnesses, order the production of records and take such other steps as may be necessary to carry out the provisions of this resolution.

Mr H. J. Meyers offered an amendment to said resolution as follows:

Strike out "Judiciary Committee" and insert the following: "A special committee of five to be appointed by the Speaker."

Said amendment was disagreed to.

Said resolution was disagreed to.

Mr. Smith called up for consideration from the Clerk's desk a joint resolution, which originated in the Senate, entitled:

S. Res. 4. Resolution to appoint committee to draft suitable resolutions upon the death of General Simon Bolivar Buckner.

Said resolution reads as follows, viz.:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That a joint committee of the Senate and House, consisting of the Lieutenant Governor and two Senators, to be appointed by him, and the Speaker of the House, and a committee of two members of the House of Representatives, to be appointed by him, shall constitute a committee to prepare suitable resolutions to be adopted, and propose suitable

action to be taken by the General Assembly to pay proper respect to the memory of the late General Simon Bolivar Buckner, who was Governor of Kentucky, and a distinguished citizen of this Commonwealth, and of said committee the Lieutenant Governor shall be Ex-Officio Chairman.

And then the House adjourned.

WEDNESDAY, JANUARY 21, 1914.

The House was opened with prayer by the Rev. H. G. Turner, of the Methodist Episcopal Church (South), of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Sharp:

H. B. 244. An Act to amend the vital statistics law.

To Committee on Public Health.

By Mr. Hutchcraft:

H. B. 245. An Act fixing the jurisdiction of County Judges in Criminal Cases.

To Committee on County and City Courts.

By same:

H. B. 246. An Act amending Section 1051 of Kentucky Statutes fixing jurisdiction of Quarterly Courts and regulating appeals in civil cases.

To Committee on County and City Courts.

By same:

H. B. 247. An Act to amend an Act approved March 9, 1906, known as Chapter 18 of the Acts of 1906, entitled, An Act creating and establishing a Board of Commissioners to be known as the Kentucky State Board of Control of Charitable Institutions and prescribing its powers and duties.

To Committee on Charitable Institutions.

By same:

H. B. 248. An Act providing for the payment of a salary to one probation officer in counties having a population of over 30,000 or containing a city of the third or fourth class.

To Committee on Cities of the Fourth Class.

By Mr. Walton:

H. B. 249. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of Blindness in this Commonwealth.

To Committee on Public Health.

By Mr. Spahn:

H. B. 250. An Act to promote physical education in schools of the cities of the first and second class.

To Committee on Municipalities.

By same:

H. B. 251. An Act concerning Notary Public who are stockholders, directors, officers or employes of banks or other corporations.

To Committee on Banks and Banking.

By same:

H. B. 252. An Act making it unlawful to haul a load exceeding two tons in weight on any turnpike or gravel road with a tire less than three and one-half inches broad.

To Committee on Public Roads and Highways.

By Mr. Reed:

H. B. 253. An Act concerning illiteracy in the State of Kentucky and to provide for the creation of a Commission to be known as "The Kentucky Illiteracy Commission" and to provide for the duties and powers thereof.

To Committee on Education No. 1.

By Mr. Hays:

H. B. 254. An Act requiring that boots or shoes made or offered for sale in certain parts of substitutes for leather, be stamped, and providing a penalty for failure to stamp.

To Committee on Judiciary.

By Mr. Myers, Z. L.:

H. B. 255. An Act to prohibit the appointment or employment of persons who are not residents of this State in any position where the State's money is paid for such employment.

To Committee on Judiciary.

By Mr. Lay:

H. B. 256. An Act regulating the signing of notes or bonds as surety by husband and wife.

To Committee on Kentucky Statutes.

By Mr. Huff:

H. B. 257. An Act to require all corporations doing business in this Commonwealth to have agent upon whom process may be served, in all counties where said corporation does business.

To Committee on Corporate Institutions.

By Mr. Spahn:

H. B. 258. An Act repealing Section 4217 of Kentucky Statutes and amending Section 4224 of Kentucky Statutes and providing for the license of certain classes of Temporary or Transient Merchants doing business in any county in this State, defining the same, and the manner of issuing license, regulating the advertising and representation of such merchants, and providing penalties for the violation thereof.

To Commitee on County and City Courts.

Mr. Radcliffe suggested that Mr. N. C. Tilford, who was on yesterday declared to have been elected Representative from the County of Grayson, and entitled to a seat as such on this floor, was present on the floor of the House, and asked that the oath of office be administered to him.

Thereupon the said N. C. Tilford appeared at the bar of the House and the oath of office was administered to him by the Speaker of the House.

The Speaker laid before the House the following communication from and report of the Special Tax Commission of the State of Kentucky, viz.:

Frankfort, Kentucky, December, 1913.

To the Honorable, The General Assembly of the Commonwealth of Kentucky:

Gentlemen:—

The Tax Commission appointed in conformity with the provisions of House Resolution No. 24, of the Regular Session of the General Assembly of 1912, approved March 15, 1912, to investigate revenue and taxation in this State, and recommend a plan for the revision thereof, begs to submit its report.

Respectfully,

W. O. Davis, Chairman.
Elwood Hamilton, Secretary.
W. B. Moody.
W. A. Frost.
L. C. Owings.
Carl C. Plehn, Expert and Adviser.

Ordered that said Revenue report be referred to the Committee on Revenue and Taxation.

Mr. Evans offered the following joint resolution, viz.:

H. Res. 13. Resolution officially notifying the members of the General Assembly of the death of Hon. Samuel Turley.

Whereas, the General Assembly have learned with deep sorrow that Hon. Samuel Turley, an honored, beloved and able member of the House, and Representative from Menifee and Montgomery Counties, departed this life at 10:50 o'clock last evening; therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the Speaker of the House appoint a committee of seven members of the House, and the President of the Senate appoint a committee of five members of the Senate to attend the funeral and accompany the remains of Hon. Samuel Turley to their last resting place.

2. That a committee of five members of the House and three members of the Senate be appointed to draw and present to the House and Senate appropriate resolutions on the life, character and public service of the deceased.

3. That when the House and Senate adjourns today they adjourn to Friday morning, January 23rd, out of respect to the memory of the honored member from Montgomery and Menifee Counties.

Mr. Evans moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was then adopted.

Mr. H. J. Meyers moved that the roll of Committees be now called for the report of bills.

Said motion was agreed to.

Mr. Polin, of the Committee on Criminal Law, reported a bill entitled H. B. 20. An Act to prevent injury to school houses and grounds and church buildings.

With the expression of opinion that said bill ought not to pass.

The question being taken on ordering said bill to a reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative, and so said bill was rejected.

The Committees to which the same had been referred, reported bills of the following title:

By Mr. Hutchcraft, of the Committee on Banks and Banking.

H. B. 40. An Act to regulate the making, drawing, uttering or delivering of checks, drafts or other orders for the payment of money, and fixing the penalty for the violation thereof.

By Mr. Polin, of the Committee on Criminal Law.

H. B. 8. An Act providing that all persons charged with criminal or penal offenses, in all courts inferior to circuit courts of this Commonwealth, shall be entitled to trial by jury.

By Mr. W. E. Rogers, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 145. An Act to amend and re-enact Section 3713-3714, Chapter 89, Carroll's Kentucky Statutes, being part of Article 8 of said Chapter entitled, "Creation and Organization of Towns," approved July 3, 1893.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law, and providing for the payment thereof.

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries, and of minors to the House of Reform.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 19. An Act to regulate certain fees to be charged by the Secretary of State.

Said bills were severally read the first time at length, and ordered to be read the second time and placed on the calendar.

A message was received from the Senate announcing that they had concurred in joint resolution, which originated in the House, of the following title, viz.:

H. Res. 10. Resolution providing for printing for the use of members of the House and Senate, House bill 45, and report of the Special Tax Committee.

H. Res. 13. Resolution officially notifying the members of the General Assembly of the death of Hon. Samuel Turley.

Under and by virtue of House Resolution 13, above mentioned, the Speaker announced the appointment of the following committees:

To attend the funeral and accompany the remains of the Hon. Samuel Turley to their last resting place: Messrs. Evans, Pumphrey, Mobley, Wills, Z. L. Myers, Mount and Hutchcraft.

As Committee on Resolutions on the death of Hon. Samuel Turley: Messrs. Barrall, Douglas, Walton, Jones and Poteet.

Leave of absence for an indefinite period was granted to Mr. W. B. Harvey.

And then the House adjourned.

FRIDAY, JANUARY 23, 1914.

The House was opened with prayer by Rev. H. G. Turner, of the Methodist Episcopal Church (South) of the City of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the Counties and Representative Districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Green:

H. B. 259. An Act to amend Section 6, Chapter 1, Kentucky Statutes, Carroll's edition 1909.

To Committee on Judiciary.

By Mr. Phelps:

H. B. 260. An Act to authorize the Fiscal Court of the several counties of this State to purchase and maintain bloodhounds.

To Committee on County and City Courts.

By Mr. Webb, James T.:

H. B. 261. An Act to repeal, revise and re-enact Sections 6, 8 and 9 of primary election law so that candidates will not be required to secure signatures of electors to petitions in order to get on ballot.

To Committee on Suffrage and Elections.

By Mr. Perry:

H. B. 262. An Act to amend an Act entitled, An Act concerning annuities for aged, infirm, disabled, diseased or retired teachers in cities of the first class; providing for payment of such annuities out of a fund to which teachers shall contribute; providing for a Board of Trustees for the management and distribution of such fund and prescribing

regulations relative to the mode of obtaining, preserving, using and disbursing such fund; and providing that the Treasurer of the Board of Education shall be Treasurer of such fund, approved March 19, 1912.

To Committee on Municipalities.

By Mr. Price:

H. B. 263. An Act levying a tax to pay claims arising under an Act entitled, "An Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate soldiers, approved March 4, 1912, and to pay the expenses of the administration of such law.

To Committee on Confederate Home.

By same:

H. B. 264. An Act to amend Section 6 of an Act entitled, An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable Boards of Education or Boards of School Trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children and for the purpose of reducing truancy, approved March 23, 1910.

To Committee on Municipalities.

By same:

H. B. 265. An Act to amend Sub-section 2 of Section 8 of an Act of the Commonwealth of Kentucky, entitled, An Act relating to husband and wife and entitled husband and wife, approved May 16, 1893, being Chapter 205 Session Acts

of the Legislature of Kentucky, 1893, and also being Sub-section 2 of Section 2103, Kentucky Statutes, 1909, John D. Carroll's Edition.

To Committee on Kentucky Statutes.

By Mr. White:

H. B. 266. An Act to regulate the sale of agriculture and other seeds.

To Committee on Agriculture.

By Mr. Rogers, S. H.:

H. B. 267. An Act to provide a penalty for stealing a growing crop or any part thereof.

To Committee on Criminal Law.

By Mr. Reed:

H. B. 268. An Act to further regulate corporations having capital stock and providing penalties for violation thereof.

To Committee on Corporate Institutions.

By Mr. Kuh:

H. B. 269. An Act to prohibit the sale of or trafficking in bottles, siphons, boxes, tins, kegs and other sorts of packages or containers branded with the brand of the manufacturer or seller of the contents thereof.

To Committee on Criminal Law.

By Mr. Hutchcraft:

H. B. 270. An Act to regulate further the issuing of marriage licenses.

To Committee on Kentucky Statutes.

By Mr. Duffy, John C.:

H. B. 271. An Act to amend Section 10 of Article 17 of Chapter 22, of an Act of the General Assembly of Kentucky, approved March 15, 1906, entitled, An Act relating to Revenue and Taxation.

To Committee on Revenue and Taxation.

By Mr. Jones:

H. B. 272. An Act relating to the certification of teachers and the inspection and accrediting of Kentucky Institutions of higher learning by the State Board of Education, and to provide for the recognition of certificates from other States by reciprocity.

To Committee on Education No. 1.

By Mr. Wilson, M. O.:

H. B. 273. An Act to amend an Act entitled, "An Act for the protection of game and fish.

To Committee on Fish and Game.

By Same:

H. B. 274. An Act authorizing rewards for killing chicken hawks.

To Committee on Agriculture.

By Mr. Greene:

H. B. 275. An Act to amend Sections one, two, four, five, six and thirteen of Chapter 5 of the Acts of 1912, entitled, "An Act relating to fire, lightning, hail, windstorm and sprinkler leakage insurance, and to regulate and control the rates of premium thereon and creating a State Insurance Board and defining the powers and duties of said Board;" and to further amend said act by enacting subsection 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board certain data in their possession affecting insurance risks and rates thereon and fixing a penalty for its violation.

To Committee on Insurance, Fire and Marine.

By Mr. Drescher:

H. B. 276. An Act appropriating $125.00 for the repairs of property of the Commonwealth of Kentucky.

To Committee on Public Monuments and Historical Records.

The Speaker laid before the House the following communication, viz.:

Glen Lily, Munfordsville, Ky., January 20, 1914.

The Honorable House of Representatives:
Commonwealth of Kentucky.

Gentlemen:

Permit me, in behalf of my mother and myself, to express our deep appreciation of the resolutions of sympathy adopted and forwarded to us upon the death of my father.

It is a source of great consolation to realize that we are in the thoughts of those who represent our State, and of gratification to know that the memory of one who loved and served Kentucky to the utmost of his ability, is honored by his native Commonwealth.

From the fireside where his loss is most deeply mourned, accept the thanks of those whose intimate association with him has led only to a more thorough appreciation of his greatness.

S. B. BUCKNER, JR.

On motion of Mr. Davis it is ordered that said communication be spread upon the Journal of this House.

Mr. Hutchcraft moved that in as much as the action of this House, taken on the 16th inst., was interrupted by the adjournment of the House, that now, in order to carry into execution the orders of the House on that date, the House do now resolve itself into the Committee of the Whole House on the State of the Commonwealth, for the purpose of giving a hearing to Mr. Sherman Goodpaster, the State Inspector and Examiner.

Said motion was agreed to.

Whereupon, the Speaker vacated the Chair, having designated Mr. Hutchcraft as Chairman of the Committee of the Whole.

The Committee of the Whole was called to order.

After a time the Speaker resumed the Chair and the House was in order.

Mr. Hutchcraft, of the Committee of the Whole, reported that said Committee had carried into execution the aforesaid order, and now asked to be discharged, which was granted.

On motion of Mr. Mount, leave of absence until next Monday, the 26th inst., was granted to Mr. Cecil.

Mr. H. J. Meyers moved that when this House adjourn today it be to meet on Monday next, the 26th inst., at 12 o'clock meridian.

Said motion was disagreed to.

Mr. Walton offered the following joint resolution, viz.:

H. Res. 14. Resolution of respect to the Memory of Hon. Samuel Turley, deceased, late a member of the House of Representatives.

Whereas, death has removed from the General Assembly of the Commonwealth of Kentucky the Honorable Samuel Turley, Representative from the 90th District; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That it is the sense of this General Assembly that in the death of Mr. Turley, the State of Kentucky has lost a valuable public servant, and the General Assembly has been deprived of the services and association of one held in the highest esteem by his fellow members.

Be it further Resolved, That the General Assembly does herein express the deepest sorrow for his death and extends its profound sympathy to his bereaved family; and,

Further, That out of respect to his memory, the General Assembly has stood adjourned and the flag on the Capitol building shall be hung at half mast for a period of seven days, and the chair made vacant by his decease shall be draped in mourning;

That these resolutions be spread upon the Journal of each House and a copy furnished the bereaved family.

T. J. POTEET,
J. W. BARRALL,
JOHN W. DOUGLAS,
T. R. JONES,
MATT S. WALTON, Ch. Hse. Com.

R. M. SALMON,
C. F. MONTGOMERY,
R. H. SCOTT, Chm. Senate Committee.

Mr. Walton moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was adopted.

A message was received from the Senate announcing that they had concurred in joint resolutions, which originated in the House, of the following titles, viz.:

H. Res. 11. Resolution specifying how warrants shall be drawn in favor of departments and public institutions.

H. Res. 12. Resolution requesting the State Inspector and Examiner to furnish to this General Assembly certain information.

That they had adopted joint resolutions of the following titles, viz.:

S. Res. 6. Resolution appropriating two hundred and twenty-five dollars to pay expenses of committee from Senate and committee from House in making trip to Eddyville to investigate Branch Penitentiary.

Ordered that said resolution lie on the Clerk's desk.

S. Res. 7. Resolution to invite the Hon. David J. Lewis, of the National House of Representatives, to address a joint session of House of Representatives and Senate of Kentucky.

Mr. H. J. Meyers moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said resolution reads as follows, viz.:

Resolved by the House of Representatives of the Commwealth of Kentucky:

That the Hon. David J. Lewis, of the National House of Representatives, be invited to address a joint session of both Houses, on the question of Workman's Compensation Laws, on Thursday, January 29, 1914, at two o'clock P. M.

Said resolution was concurred in.

A message was received from the Governor announcing that he had approved and signed joint resolutions which originated in the House of the following titles, viz.:

H. Res. 3. Resolution instructing our Senators and requesting our Representatives in the Congress of the United

States to urge the selection of the City of Louisville as one of the Reserve Cities under the Federal Reserve Act of the Congress of the United States.

H. Res. 6. Resolution providing for the placing of the Governor's message on the desks of the members of this General Assembly and of the Governor.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolutions of the following title, viz.:

H. Res. 10. Resolution providing for printing for the use of members of the House and Senate and report of the Special Tax Committee.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution, which originated in the House and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The Speaker laid before the House the following writ of election:

The Commonwealth of Kentucky to the Sheriff of Menifee and Montgomery Counties.

Whereas, Samuel Turley, Representative from the 90th Representative District of Kentucky died during the present session of the General Assembly, on the 20th day of January, 1914, thereby causing a vacancy in the office of Representative in said Representative District;

Now, therefore, by virtue of the power vested in me as presiding officer of the House of Representatives of the General Assembly of the Commonwealth of Kentucky, an election is hereby called and ordered to be held in said Counties of Menifee and Montgomery, which constitute said Representative District No. 90, on Wednesday, February the 4th, 1914, and in the various voting precincts of said counties of Menifee and Montgomery, for the purpose of electing a Representative in the House of Representatives from said District to fill out the unexpired term of the said Samuel Turley.

The Sheriff of Menifee County is commanded to open a poll at the various voting precincts in said county and cause an election to be held in said county, as provided by law, to fill said vacancy, and the Sheriff of Montgomery County is commanded to open a poll at the various voting precincts in said county of Montgomery and cause an election to be held in said county, as provided by law, to fill said vacancy.

To that end, you and each of you are commanded to give notice of said election in your respective counties by advertisement posted at the Court House door in each of your respective counties, and the several voting places in said counties, and publish in a newspaper printed in each of said counties for not less than eight days before said election and you, and each of you, will in all respects discharge all such other duties concerning the holding of said election as is required by law.

In testimony whereof, witness my signature as Presiding Officer of the House of Representatives of the General Assembly of the Commonwealth of Kentucky, this the 23rd day of January, 1914.

CLAUDE B. TERRELL,

Speaker House of Representatives.

Attest: JAMES E. STONE,

Chief Clerk House of Representatives.

Ordered that same be spread upon the Journal.

Mr. Ray offered the following resolution, viz.:

Whereas, the laws of this Commonwealth should be enacted for the benefit of the public, free from any ultra influences, and

Whereas, it is known that a strong and powerful lobby is now in attendance upon this session of the General Assembly; therefore,

Resolved, That a special committee consisting of five members of this House be appointed for the purpose of investigating the purposes of the said lobby and the means to be employed by it or its members in controlling legislation, and the said committee shall have power to summon and swear witnesses, and make a thorough investigation of said lobby, and it will report the names of all persons attending this session as lobbyists, and what railroads, schoolbook companies or other interests, which they may represent, and they will report from time to time, as may seem wise and expedient.

Mr. Walton offered the following amendment to said resolution:

Amend by inserting "and also investigate what in-

fluence, if any, said lobbyists are exerting upon the printing of bills for this House."

Said amendment was agreed to.

Said resolution was adopted.

Thereupon the Speaker, under and by virtue of said resolution, appointed the following committee, viz.:

Messrs. J. Guthrie Coke, Jr., M. S. Walton, T. T. Mobley, Elwood Hamilton; John C. Duffy, W. T. Stott and Richard Radcliffe.

The committees to which the same had been referred, reported bills of the following titles:

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 13. An Act relating to the holding of Circuit Courts in counties having therein cities of the sixth class or larger, located within two miles of the geographical center of said county, and ten miles or more from the county seat thereof.

By Mr. Fraser, of the Committee on Education No. 1:

H. B. 1. An Act empowering Board of Trustees of all common graded schools, created by the vote of the people, operating in this State to collect and levy an annual tax for the maintenance, operating and support of the graded schools in their respective districts.

By Same:

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to em-

power the County Board of Education to levy a tax to increase the term of school.

By Same:

H. B. 129. An Act to amend Chapter 96 of the Acts of the General Assembly of 1912, entitled, An Act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth, and to provide for the appointment of a truant officer for graded common schools.

By Mr. Poteet, of the Committee on Public Health:

H. B. 59. An Act to establish a Board of Examiners for trained nurses, and to regulate the practice of professional trained nursing in the State of Kentucky.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

Mr. James T. Webb, of the Committee on Judiciary, to which the same had been referred, reported back to the House a series of resolutions, heretofore delivered to the House by the Senate, and recommended that the same be referred to the Attorney General.

(For said resolutions see House Journal of the 16th inst.)

Ordered that said resolutions be referred and delivered to the Attorney General.

Mr. Meyers moved that this House do now adjourn until 11 o'clock A. M. on Monday, January 26, inst.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Saufley and McCormack were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. E. Heninger	William A. Perry
Wallace Bailey	J. J. Huff	W. A. Price
James W. Barrall	R.B.Hutchcraft Jr.	J. D. Pumphrey
G. B. Barrett	Griffin Kelly	Richard Radcliffe
J. M. Billeter	John H. Klette	B. T. Rountree
Elmer L. Brown	William J. Kuh	A. W. Sharp
C. W. Burton	C. R. Luker	Adam Spahn
Benjamin L. Cox	Geo. M. McDowell	James T. Webb
John W. Douglas	W. T. McNally	N. C. Tilford
William Duffy	J. R. Mount	John F. White
Thomas J. Evans	Harry J. Myers	Douglas G. Wood
W. N. Flippin	A. J. Oliver	
H. H. Harrington	Lyman G. Parrigin	—37

Those who voted in the negative were—

Harry Avery	W. L. Hampton	Dr. W. R. Ray
Joseph Boitnott	J. B. Harvey	Stanley F. Reed
Glover H. Cary	H. H. Hays	W. E. Rogers
J. G. Coke, Jr.	Dr. S. L. Henry	S. M. Saufley
George T. Davis	D. H. Hillman	L. M. Smith
James R. Dorman	Simon B. Lott	Ed. D. Stone
John Drescher	Dr.J.N.M'Cormack	W. T. Stott
H. C. Duffy	John G. Miller, Jr.	M. S. Walton, Jr.
John C. Duffy	T. T. Mobley	W. M. Webb
Odie Duncan	Zach. L. Myers	N. B. White
M. J. Farris, Jr.	John E. Newman	J. D. Wills
Vert C. Fraser	S. Mazyck O'Brien	M. O. Wilson
Frank C. Greene	A. W. Palmer	Roy S. Wilson
E. V. Hall	Lelburn Phelps	
Elwood Hamilton	Dr. T. J. Poteet	—43

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 40. An Act to regulate the making, drawing, uttering or delivering of checks, drafts or other orders for the payment of money, and fixing the penalty for the violation thereof.

H. B. 8. An Act providing that all persons charged with criminal or penal offenses, in all courts inferior to circuit courts of this Commonwealth, shall be entitled to trial by jury.

H. B. 145. An Act to amend and re-enact section 3713-3714, Chapter 89, Carroll's Kentucky Statute, being part of Article 8 of said Chapter entitled, "Creation and Organization of Towns," approved July 3, 1893.

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law, and providing for the payment thereof.

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries, and of Minors to the House of Reform.

H. B. 19. An Act to regulate certain fees to be charged by the Secretary of State.

Ordered that said bills be read the second time.

The provision of the Constitution, as to the second read-

ing of said bills, at length, being dispensed with, said bills were severally read the second time by their title.

Ordered that said bills be placed in the orders of the day.

Mr. Spahn moved that the House do now adjourn.

Said motion was agreed to.

SATURDAY, JANUARY 24, 1914.

The House was opened with prayer by the Rev. H. G. Turner, of the Methodist Episcopal Church (South), of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the Counties and Representative districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Bailey:

H. B. 277. An Act authorizing the granting of pharmacists' license to certain graduates of schools of medicine, without a State Board examination.

To Committee on Public Health.

By Same:

H. B. 278. An Act authorizing the granting of license to certain graduates of medical schools without a State board examination.

To Committee on Public Health.

By Mr. Jones:

H. B. 279. An Act fixing the amount of the bonds of the wardens of the Kentucky penitentiary at Eddyville, and of the Kentucky reformatory at Frankfort, Kentucky, and of the deputy wardens thereof.

To Committee on State Prisons and Houses of Reform.

By Mr. Nichols:

H. B. 280. An Act to amend Chapter 60, session acts of 1910 entitled, "An Act to prevent the spread of communicable diseases among domestic animals in the State of Kentucky, and to provide greater protection to the live stock industry of the State, and to increase the number of members on the live stock sanitary board, and to enlarge the powers of said board, and to amend Article 2, Chapter 5, of the Kentucky Statutes relating to diseases of domestic animals."

To Committee on Agriculture.

By Mr. Walton:

H. B. 281. An Act to further amend and re-enact section 4 of an Act approved March 21, 1910, and published as Chapter 50 of the Acts of 1910.

To Committee on Municipalities.

By Mr. James T. Webb:

H. B. 282. An Act giving additional powers to the County Board of Education concerning consolidated schools and levying a local tax for their operation and maintenance.

To Committee on Education No. 1.

By Mr. H. C. Duffy:

H. B. 283. An Act to fix the place at which freight in car lots shall be weighed.

To Committee on Railroads.

By Mr. Spahn:

H. B. 284. An Act to amend an Act entitled, "An Act to regulate the employment of females in order to safeguard their health," passed at the 1912 session of the General Assembly and found on page 232 of the Acts of 1912, and approved by the Governor March 14, 1912.

To Committee on Immigration and Labor.

By Same:

H. B. 285. An Act in reference to public franchises in towns and cities.

To Committee on Public Utilities.

By Mr. Saufley:

H. B. 286. An Act to abolish the office of special attorney to the State Insurance Board.

To Insurance, Fire and Marine.

By Mr. Smith:

H. B. 287. An Act to amend Section 1155, Subdivision 111, Chapter 36, Kentucky Statutes, raising the age of consent to eighteen years.

To Committee on Kentucky Statutes.

By Same:

H. B. 288. An Act to amend Section 4850, Chapter 135, Carroll's edition 1909, with reference to wills.

To Committee on Kentucky Statutes.

By Same:

H. B. 289. An Act to amend Section 644, Subdivision 2, Article 4, Chapter 32, Kentucky Statutes, relating to the subject of life insurance.

To Committee on Insurance, Life and Accident.

By Mr. Newman:

H. B. 290. An Act requiring the true or actual consideration to be stated in all deeds of conveyances, and providing penalties for failure so to state.

To Committee on Judiciary.

By Same:

H. B. 291. An Act requiring personal representatives and executors to file an inventory of the estate of their testatees and intestatees.

To Committee on Kentucky Statutes.

By Mr. Z. L. Meyers:

H. B. 292. An Act to create an industrial and manufacturing board to promote the manufacturing of this State's resources.

To Committee on Commerce and Manufacturing.

By Mr. Hillman:

H. B. 293. An Act amending an act entitled, "An Act for the government of cities of the Fifth Class," approved July 3, 1893.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Spahn:

H. B. 294. An Act entitled, "An Act to regulate the occupation of barbering, to create a Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners, to provide rules regulating the better educating of such practitioners, to provide rules regulating the proper sanitation of barber shops, schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring to the general public cleaner and better service."

To Committee on Public Health.

The committees to which the same had been referred, reported bills of the following titles:

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 90. An Act fixing the times for holding Circuit Courts in the Thirty-fourth Judicial District.

By Same:

H. B. 15. An Act to regulate the holding of Circuit Courts in the Twenty-sixth Judicial District of Kentucky.

By Mr. Drescher, of the Committee on County and City Courts:

H. B. 88. An Act to amend and re-enact Section 1051 of Chapter 35, Article Three, Kentucky Statutes, 1909, compiled by John D. Carroll, entitled, "Quarterly Courts."

By Same:

H. B. 115. An Act to repeal and re-enact Chapter 74 of Acts of 1912, entitled, "An Act relating to Fiscal Courts."

By Same:

H. B. 154. An Act to provide a stenographer for the County Judge of counties having a population of two hundred thousand or over.

By Same:

H. B. 136. An Act to amend Section 4131, Article 8, Chapter 108 of the Kentucky Statues.

By Mr. Boitnott, of the Committee on Confederate Home:

H. B. 85. An Act to amend Section 1 of Chapter 6 of the Acts of 1912, entitled, "An Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate soldiers."

Said bills were severally read the first time at length and ordered to be placed on the calendar.

The House took up for consideration from the calendar bills of the following title, viz.:

H. B. 13. An Act relating to the holding of Circuit Courts in counties having therein cities of the sixth class or larger, located within two miles of the geographical center of said county, and ten miles or more from the county seat thereof.

H. B. 1. An Act empowering Board of Trustees of all common graded schools, created by the vote of the people, operating in this State to collect and levy an annual tax for the maintenance, operating and support of the graded schools in their respective districts.

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

H. B. 129. An Act to amend Chapter 96 of the Acts of the General Assembly of 1912, entitled, "An Act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth," and to provide for the appointment of a truant officer for graded common schools.

H. B. 59. An Act to establish a Board of Examiners for trained nurses, and to regulate het practice of professional trained nursing in the State of Kentucky.

Ordered that said bills be read the second time.

The provision of the Constitution as to the reading of said bills the second time at length being dispensed with, said bills were severally read the second time by their title, and ordered to be placed in the orders of the day.

Mr. Davis offered the following resolution, viz.:

Whereas, this House has by three separate resolutions authorized investigation into salaries of State officers and employes and other related conditions, and

Whereas, the work may be done by one committee of five; and, therefore,

Be it Resolved, That a committee of five be appointed by the Speaker to carry out the provisions and instructions of said resolutions. Said committee to co-operate with a like committee of the Senate as far as practicable.

Said resolution was adopted.

Thereupon, in accordance with said resolution, the Speaker announced the appointment as the committee thereunder, the following, viz.:

Messrs. H. C. Duffy, T. R. Jones, John G. Miller, Jr., John W. Douglas and C. W. Burton.

Mr. Smith offered the following resolution, viz.:

Whereas, the constant noise of the telegraph instrument located in the gallery is annoying and distracting to the members in the rear of the House; be it

Resolved, That the Custodian of the Capitol be and is hereby instructed to place a temporary screen or curtain around the instrument in such a way as to obstruct the sound waves.

Said resolution was adopted.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz.:

January 24, 1914.

Hon. Claude B. Terrell,
Speaker of the House of Representatives of Kentuck.
Dear Sir:—

I beg to hand you herewith my response to House Resolution of January 15, 1914, and in so doing I deem it proper to state that in making an "Estimate of Revenues and Expenditures" for the Fiscal year ending June 30, 1914, we are bound to use the statement of "Revenues and Expenditures" as shown by our report for the fiscal year ending June 30, 1913, with such increases as the best information at hand justify. I beg to remain,

Very respectfully, &c.,
H. M. BOSWORTH,
Auditor of Public Accounts.

January 23, 1914.

To the House of Representatives of the Commonwealth of Kentucky.
Gentlemen:—

Responding to Resolution adopted by your honorable body on January 15, 1914, I beg to submit the following statement of estimated revenues and expenditures for the fiscal year ending June 30, 1914:

RECEIPTS.

Asylums	$31,303.50
Booe Defalcation	17,500.00
Branch Penitentiary	84,859.93
Back Tax Reserve Fund	18,077.55
Banking Department	20,152.99
Clerks	585,616.74
Corporation License Tax	96,114.97
Court of Appeals	6,475.75
Dog Tax, 1912	103,235.44
Eastern State Hospital	81.80
Fines and Forfeitures	250,553.17
Fire Tax Fund	28,850.19
Game and Fish Commission	36,042.98
House of Reform	3,243.81
Insurance Department	74,523.38
Interest on State Deposits	6,364.38
Inheritance Tax	99,224.16
Inspector of Mines	10.00
Jefferson County Fees	250,093.07
Land Office	1,550.95
Military Fund	4,458.29
Money Refunded	1,539.42
Miscellaneous Receipts	14,274.00
Mine Foremen	305.02
Motor License Fund	54,877.80
Penitentiary	245,791.84
Public Offices	36.45
Revenue Agents	6,795.24
Secretary of State	6,376.57
Sheriff's Revenue, 1911	1,216.24
Sheriff's Revenue, 1912	4,003,023.08
State University, U. S. Government	42,750.00
State Normal and Industrial Institute, Colored	7,250.00
State Registry Fees	25.00
State Insurance Board Fund	25,420.17

Sheriff's Revenue, 1913	$467.38
Tax on Foreign Insurance Companies	326,185.91
Tax on Miscellaneous Corporations	132,882.21
Tax on Organization of Corporations	49,832.26
Tax on Railroad Franchises, (estimated)	248,684.30
Tax on State Banks	105,145.35
Tax on National Banks	111,639.61
Trustee of Jury Fund	4,136.80
Tax on Rectifiers	45,024.64
Tax on Meat	250.55
Tax on Breweries	9,275.00
Tax on Wholesale Liquor Dealers	24,075.00
Tax on Distilled Spirits	152,983.76
Tax on Railroads	340,707.39
Tax on Unauthorized Insurance Companies	5,686.20
Text Book Fund	5.00
Turnpike Dividends	174.54
Total	$7,685,169.78
Receipts direct into the School Fund from amounts returned by Counties	14,830.22
Total receipts from July 1, 1913, to June 30, 1914	$7,700,000.00

EXPENDITURES.

Active Militia, (Act March 21, 1908)	$8,149.16
Agricultural Bureau Appro., (Sec. 42 Ky. Stat., Acts Session 1912)	27,785.63
Assessors, (Ky. Stat., Chap. 83, and Act Nov. 1892)	147,563.01
Asylums, (Act March 21, 1908)	18,008.56
Agricultural Experimental Station, (Act 1912)	87,000.00
Attorneys' Fees, (Ky. Stat., 369 and 114)	3,334.50

Banking Department, (Acts Leg. Session, 1912),	1,177.88
Branch Penitentiary, (Act May 5, 1893)	135,149.34
Blind Asylum, (Act March, 1856, Ky. Statutes, Chap. 16 and Act 1906)	43,995.00
Back Tax Reserve Fund, (Acts Leg. Session, 1912)	18,119.94
Branch Penitentiary Appro., (Acts 1906, 1910 and 1912)	2,282.68
Branch Penitentiary Special, (Act Session 1912)	725.21
Board of Forestry, (Act Session 1912)	3,621.26
Court of Appeals, (Ky. Stat., Chap. 104, Act 1893)	16,346.17
Cost of Suits, (Act May 1, 1893)	1,166.17
Central State Hospital, (Act 1894 and 1896)	222,287.27
Conveyance of Lunatics, (Act March, 1894)	7,124.58
Commissions on Fines and Forfeitures, (Acts 1892 and 1893)	183,258.53
Criminal Prosecutions, (Acts July, March, April and May, 1893, &c.)	253,536.98
Clerks' Services, (Ky. Stat., Chap. 83, Acts 1894 and 1912)	42,881.12
Confederate Record Appro., (Acts 1902)	1,200.00
Confederate Home Appro., (Special Acts 1902, 1904 and 1910)	15,269.42
Confederate Home Appro., (Acts 1902, 1904 and 1910)	41,907.00
Central Ky. Asylum Appro., (Acts Session 1910)	3,657.05
Convict Labor, (Acts Legislature Session, 1912)	12,360.85
Clerks Paid Trustee	116,636.80
Distribution of Public Books, (Ky. Stat., Chap. 67)	388.21
Dog Tax, 1911	182.00

Dog Tax, 1912	57,762.10
Expresses (Acts 1892 and May, 1893)	6,102.68
Equalization Board, 1912	51.42
Equalization Board, 1913	5,854.91
Eastern State Hospital, (Acts 1894 and 1896)	178,566.92
Eastern Ky. Normal School, (Acts 1906, 1908 and 1912)	75,000.00
Executive Mansion, (Ky., Stat., Chap. 104, &c.)	708.61
Electors, 1912, (Ky. Stat.)	704.20
Feeble Minded Institute, (Act March, 1894 and 1896)	56,831.60
Fire Tax Fund, (Acts 1906, Chap. 95)	23,143.10
Frankfort Cemetery Appro., (Act 1867 and 1880)	250.00
Fines and Forfeitures, (Ky. Stat., Sec. 1139, &c.)	1,167.11
Game and Fish Commission, (Acts Session 1912)	12,627.52
Geological Survey Appro., (Acts Ses. 1908 and 1912)	21,708.10
Geological Survey Appro., Special, (Act 1912)	376.96
Governor's Mansion Appro., (Acts 1912)	36,104.05
Governor's Contingent Fund, (Act 1910)	602.70
House of Reform Appro., (Acts 1912)	41,854.86
House of Reform, (Acts March, 1896, &c.)	167,891.08
Home for Incurables, (Acts Session 1910)	10,000.00
Idiots, (Acts February, 1893; May, 1893, and March, 1894)	158,284.42
Insurance Rating Board, (Acts Session, 1912)	22,574.40
Insurance Department, (Act March, 1870)	45,638.93
Interest on Warrants, (Act Session 1910, &c.)	79,862.07
Inspector of Mines, (Acts Session, 1910)	271.63
Jury Commissioners, (Acts May, 1893)	2,030.00
Jefferson County Fees, (Acts June, 1893)	182,241.16

Jefferson Davis Park Appro., (Act Session, 1912)	$4,900.00
Ky. Historical Appro., (Act Session 1906)	5,000.00
Ky. School for the Deaf, (Act March 22, 1907, &c.)	79,650.82
Ky. Children's Home Society Appro., (Act March, 1908)	40,000.00
Ky. Home Society Colored Children, (Act Session 1910)	10,000.00
Ky. School for the Deaf, Special, (Act 1912)	750.00
Library Commission, (Acts Session 1910)	6,000.00
Law Library, (Ky. Stat., Chap. 78)	3,184.56
Live Stock Sanitary Board, (Acts Session, 1910)	1,026.16
Military Fund, (Acts March 13, 1893, &c.)	22,995.01
Money Refunded, (Act February, 1893)	4,069.45
Motor License Fund, (Act Session 1910)	2,909.07
Old Capitol Building Appro., (Act Session 1912)	7,786.60
Old Capitol Maintenance Appro., (Act 1912)	1,373.90
Public Grounds, Ky. Stat., Chapter 104)	2,547.74
Public Office, (Chap. 104, Ky. Stat. and Act. May, 1893)	46,266.68
Paper for Public Printing, (Act June 20, 1893)	31,247.53
Public Printing and Binding, (Act June 20, 1893)	83,487.11
Penitentiary, (Act May, 1893, &c.)	222,376.12
Public Books, (Ky. Stat. Chap. 2432)	4,483.00
Public Buildings, (Ky. Statutes, Chap. 104)	3,315.97
Pure Food Law, (Act March, 1910, &c.)	29,995.79
Perry Centennial Victory Commission, (Act 1912)	12,500.00
Penitentiary Library, (Ky. Stats.)	50.00
Record Books, (Act February and June, 1893)	17,700.28

Rewards, (Ky. Stats., Chap. 109, Acts 1892 and 1893)	$1,900.00
Revenue Supervisors, (Acts Nov. 1892, &c.)	15,109.50
State University Appro., (Acts 1904, 1908, 1912, &c.)	87,000.00
State Roads Fund, (Acts Session 1912)	10,064.01
State Capitol Maintenance Appro., (Acts Session 1908)	15,991.90
Sheriffs Paid Trustee, (Act May 16, 1893)	121,335.47
State Board Election Commissioners, (Act March 11, 1898)	375.53
State Board of Health, (Act 1893, March, 1894, and 1900)	30,000.00
State Library, (Ky. Stats., Chap. 104 and Act 1893)	6,133.11
State Board Agriculture, Forestry and Immigration, (Act 1906)	18,555.01
State University, (U. S. Government)	42,750.00
Sheriff's Revenue, 1911	291.48
Sheriff's Revenue, 1912	63,772.19
State Colored Normal and Industrial Institute Acts of 1893 and 1897)	20,250.00
State Inspector and Examiner, account expenses	212.50
State Fair Appro., Special, (Act Session 1912)	35,000.00
State Fair Appropriation, (Acts 1902 and 1912)	25,000.00
San Jose Scale Appro., (Acts May, 1897)	388.07
Spanish American War Fund, Government Funds	1,053.92
State University 1-2 Cent Fund, (Ky. Statutes)	49,703.27
Trustee Jury Fund, (Act May, 1893, &c.)	149,884.59
Tax Unauthorized Ins. Cos.	4,445.02
Tax Commission, (Acts Session 1912)	856.49

Tuberculosis Commission, (Act Session 1912)	15,000.00
Western State Hospital, (Act March, 1894 and 1896, &c.)	173,056.32
Western Ky. Normal School, (Acts 1906, 1908 and 1912)	75,000.00
Western Ky. Normal School, Special, (Act Session 1912)	7,000.00
Salaries, (Sundry Acts)	357,536.27
	$4,574,695.29
Amount paid to Common Schools including expenses of Superintendent's Office	$3,179,402.40
Estimated increase of Pension Claims	340,000.00
Estimated increase pay for Convict Labor	75,000.00
Estimated increase pay to Jailers	50,000.00
Estimated increase pay conveying Convicts to Penitentiary	15,000.00
Estimated increase pay for Tax Bills to County Clerks, &c.	41,000.00
Cost of present Session Legislature estimated	125,000.00
Total expenditures	$8,400,097.69

Mr. Hamilton moved that said communication be ordered printed for the use of the members.

Said motion was agreed to.

The Speaker laid before the House the following communication from the Secretary of State, viz.:

OFFICE OF THE SECRETARY OF STATE.
Commonwealth of Kentucky.
Frankfort, Ky., Jan. 1st, 1914.

To the General Assembly of the
Commonwealth of Kentucky:

I beg to submit herewith the biennial report of the Secretary of State from January 1st, 1912, to January 1st, 1914.

There has been collected on the desk of the Assistant Secretary of State during this time the sum of $8,730.00 as follows:

Notaries Public	$5,998.00
Requisitions	1,616.00
Remissions and Pardons	716.00
Warrants of Arrest	328.00
Seals	2.00
Com. of Deeds (Foreign)	70.00
Total	$8,730.00

There has been collected on the Corporation desk the sum of $12,071.00 as follows:

Banks and Trust Companies	$2,355.00
Building and Loan Associations	1,970.00
Recording Articles of Inc.	6,374.00
Seals	698.00
Certifications	636.22
Trade-Marks	38.00
Total	$12,071.00

There has been collected on the Automobile desk the sum of $88,988.70, as follows:

Motor Vehicle License	$88.988.70
Automobile Desk	88,988.70
Corporation Desk	12,071.77
Assistant's Desk	8,730.00
Grand Total	$109,790.47

The Legislature of 1912 made an appropriation for this department of $10,000.00 annually, all expenses of the office to be paid out of this fund. Since this law went into effect in July 1912 the running expenses have been paid from this fund, the full amount being expended for the year 1913. The running expenses of the office for the year 1912, including clerk hire, etc. was $10,170.59, the first half-year's expenses being taken from fees of this office, the last half being taken from the appropriation. The automobile business has increased to such an extent that I would suggest that you so amend the present automobile law so the business on this desk can be properly cared for. In fact this report will show that the business in every department of this office has increased materially in the last two years.

Respectfully yours,

C. F. CRECELIUS,

Secretary of State.

Mr. Hamilton moved that said communication be ordered printed for the use of the members, and that the same be referred to the Committee on Public Offices.

The Speaker of the House laid before the House the following communication from and reports of the Covington and Cincinnati Bridge Company, viz.:

Covington, Ky., January 5th, 1914.

To the Speaker and Members of the
House of Representatives of
the Commonwealth of Kentucky,
Frankfort, KyK.

Gentlemen:—

In accordance with the provisions of the Charter of this Company, granted February 17, 1846, I have the honor to transmit herewith copies of the Annual Report of the Cov-

ington and Cincinnati Bridge Company for the years ending December 31, 1912, and December 31, 1913. Duplicate copies have been sent to the Senate.

Yours truly,

JNO. A. JOHNSON, Asst. Sec'y.

ANNUAL REPORT COVINGTON AND CINCINNATI BRIDGE CO.

December 31, 1913.

Balance December 31, 1912			$23,077.19
Receipts—			
Bridge Tolls	$149,432.48		
Rents	3,358.70		
Interest	116.61		
			$152,907.79
Expenses—			
Expense	$3,013.27		
Collectors and Employe	16,236.40		
Fuel and Lights	1,731.65		
Repairs	11,680.61		
Taxes	18,821.69		
Legal Expenses	1,575.00		
Interest	13,254.17		
		$ 66,312.79	
U. S. Government Bonds		$ 4,080.00	$ 4,080.00
4 per cent Bridge Bonds		31,500.00	
Non-Preferred Stock		70.00	
Dividends		59,888.50	
Balance Dec. 31, 1913		18,213.69	
		$180,064.98	$180,064.98

Summary—		
Receipts	$152,907.79	
Expenses	66,312.79	
Earnings	$86,595.00	

E. O. E.

JNO. A. JOHNSON, Asst. Sec'y.

ANNUAL REPORT COVINGTON AND CINCINNATI BRIDGE CO.

			December 31, 1912.
Balance December 31, 1911			$2,387.30
Receipts—			
Bridge Tolls	$144,730.01		
Rents	3,893.03		
Interest	74.61		
Repairs	12.50		
			$148,710.15
Expenses—			
Expense	$ 2,410.50		
Collectors and Employees	15,949.00		
Fuel and Lights	1,705.39		
Repairs	2,137.23		
Taxes	19,213.41		
Legal Expenses	1,026.90		
Interest	14,462.83		
		$56,905.26	
U. S. Government Bonds		13,130.00	13,130.00
4 per cent Bridge Bonds		9,000.00	
Non-Preferred Stock		1,845.00	
Bills Payable		15,000.00	15,000.00
Dividends		60,270.00	
Balance Dec. 31, 1912		23,077.19	
		$179,227.45	$179,227.45

Summary—

Receipts	$148,710.15
Expenses	58,905.26
Earnings	$91,804.89

E. O. E.

JNO. A. JOHNSON, Asst. Sec'y.

Ordered that said communication and report be printed and referred to the Committee on Public Bridges.

The Speaker laid before the House the following communication:

Frankfort Lodge No. 530, B. P. O. Elks.
Frankfort, Kentucky, January 7, 1914.

Hon. Claude B. Terrell,
Speaker of the House of Representatives,

Sir:—

The Frankfort Elks' Lodge extend to you and the other members of the House, and the adult officers of the House, the courtesies of its club room during the session of the General Assembly.

A cordial welcome awaits you.

(Signed)
H. V. McChesney, Exalted Ruler.
Hiram Williams, Secretary.

At 12 o'clock, meridian.

The House took up for consideration from the orders of the day, a bill entitled,

H. B. 40. An Act to regulate the making, drawing, uttering or delivering a check, drafts or other orders for the payment of money, and fixing the penalty for the violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person who with intent to defraud shall make, or draw or utter or deliver any check, draft or order for the payment of money upon any bank or other depositary, knowing at the time of such making, drawing, uttering or delivery that the maker or drawer has not sufficient funds in such bank or other depositary for the payment of such check, draft or order in full upon its presentation; or

Who after having made, uttered or delivered any check, draft or other order for the payment of money upon any bank or other depositary, shall withdraw or cause to be withdrawn, the money or any part thereof to the credit of the maker of such draft, check or other order for the payment of money without leaving with such bank or other depositary a sufficient sum to cover such check, draft or other order for the payment of money, shall be guilty of misdemeanor, if the amount of such check or draft be under twenty dollars, and upon conviction thereof be fined not exceeding one hundred dollars, or confined in the county jail not less than one day or more than thirty days, either so fined or imprisoned or both in the discretion of the court or the jury trying the case, and if the amount of such check or draft be twenty dollars or over, he shall be guilty of a felony and confined in the penitentiary for not less than one year nor more than two years, and the drawer of such check or draft shall be prosecuted in the county in which he delivers same.

Provided, however, that if the person who makes, issues, utters or delivers any such check, draft or order, shall pay the same within twenty days from the time he receives actual notice, verbal or written, of the dishonor of such check, draft or order, he shall not be prosecuted under this section, and any prosecution that may have been instituted within the

time above mentioned, shall, if payment of said check be made as aforesaid, be dismissed at the cost of defendant.

The making, drawing, uttering or delivering of such check, draft or order as aforesaid, shall be prima facie evidence of intent to defraud.

Mr. Fraser offered the following amendment to said bill, viz.:

Amend by adding the following: Provided further that no action or writ shall not in any case or cases be brought or entered against any permanent resident of this State until the expiration of twenty days after having been notified of such overdraft, according to the terms of this act; and, provided, further, that the term "permanent resident" shall be construed to mean any person or persons having their home within the State and have been residents of this State for at least one year.

Said amendment was disagreed to.

Mr. Fraser offered the following amendment to said bill, viz.:

Amend by striking out the word "twenty" in line eighteen and inserting in lieu thereof the words "one hundred" and that the word "twenty" in line fourteen be stricken out and the word "one hundred" be inserted in lieu thereof.

Said amendment was disagreed to.

Mr. Pumphrey offered the following amendment to said bill, viz.:

Amend by inserting the words "with intent to defraud" after the word "depository" in line eight and before the

word "shall" in line nine, and by striking from the bill lines thirty and thirty-one.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	W. E. Henninger	Lyman J. Parrigin
J. M. Billeter	Dr. S. L. Henry	Lelburn Phelps
H. C. Blades	D. H. Hillman	William A. Perry
Joseph Boitnott	J. J. Huff	Richard Radcliffe
Elmer L. Brown	R.B.Hutchcraft Jr.	Dr. W. R. Ray
Glover H. Cary	T. R. Jones	S. H. Rogers
J. G. Coke, Jr.	Griffin Kelly	B. T. Rountree
Benjamin L. Cox	William J. Kuh	S. M. Saufley
George T. Davis	Simon B. Lott	A. W. Sharp
James R. Dorman	C. R. Luker	L. M. Smith
John W. Douglas	Dr.J.N.M'Cormack	Adam Spahn
John Drescher	Geo. M. McDowell	Ed. D. Stone
John C. Duffy	John McDyer	W. T. Stott
Thomas J. Evans	W. T. McNally	N. C. Tilford
M. J. Farris, Jr.	John G. Miller, Jr.	M. S. Walton, Jr.
W. N. Flippin	T. T. Mobley	James T. Webb
Frank C. Greene	J. R. Mount	W. M. Webb
E. V. Hall	Harry J. Myers	John F. White
Elwood Hamilton	Zach. L. Myers	N. B. White
W. L. Hampton	John E. Newman	M. O. Wilson
J. B. Harvey	C. B. Nichols	Roy S. Wilson
H. H. Hays	S. Mazyck O'Brien	—65

Those who voted in the negative were—

H. C. Duffy	H. H. Harrington	J. D. Pumphrey
Odie Duncan	A. W. Palmer	W. E. Rogers
Vert C. Fraser		—7

Resolved that the title thereof be as aforesaid.

Mr. Cary moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for conisderation from the orders of the day a bill entitled,

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries and of minors to the House of Reform.

Mr. S. H. Rogers moved that the further consideration of said bill be postponed, and that the same be made a special order for Tuesday next, the 27th inst., at 11 o'clock A. M.

Said motion was agreed to.

Leave of absence for one week was granted to Mr. Fryer.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 145. An Act to amend and re-enact Sections 3713 and 3714, Chapter 89, Carroll's Kentucky Statute, being part of Article 8 of said chapter, entitled, "Creation and organization of towns" approved July 3, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3713 of the Kentucky Statutes, Chapter 89, being part of Article 8 of said chapter, entitled, "Creation and Organization of Towns," approved July 3rd, 1893, and as amended by act of March 19, 1894, be, and the same is hereby amended by adding to said section the following:

"Provided, however, that any unclassified municipality or incorporated taxing district having by its charter a grant of municipal powers and now exercising the same, and having at least two hundred and fifty inhabitants residing within the boundary proposed to be established for such city, may be incorporated as a city with its present territorial boundaries," so that said section when amended shall read as follows:

No city shall become incorporated as such unless it contains at least one hundred and twenty-five inhabitants residing within the boundaries proposed to be established for such city; nor shall the boundary of any city, when incorporated, exceed one-fourth of a mile in each direction, the form of the city being square. Provided, however, that any unclassified municipality or incorporated taxing district having by its charter a grant of municipal powers and now exercising the same, and having at least two hundred and fifty inhabitants residing within the boundary proposed to be established for such city, may be incorporated as a city with its present territorial boundaries.

§ 2. That Section 3714 of Kentucky Statutes, Chapter 89, being part of Article 8 of said chapter, entitled "Creation and Organization of Towns," approved July 3rd, 1893, be and the same is hereby amended by striking out the whole of said section and in lieu thereof there shall be inserted the following, so that said section as amended shall read as follows:

"Proceedings to incorporate a city shall be commenced by a petition signed by at least two-thirds of the voters living within the boundary of the proposed city, or, in cases of unclassified municipalities or incorporated taxing districts having by charter a grant of municipal powers and now exercising the same, by its petition, accompanied by request for such action signed by a majority of the voters resident therein; filed in the Circuit Court Clerk's office of the county of which the greater part of such territory is located, not less than twenty days before the commencement of the next regular term of said court; and notice of the filing of such petition and the object thereof published in two issues of some newspaper of general circulation published in the county, or, if none, by notices posted for at least ten days before the commencement of the term, one at the courthouse door, and three others at public places within the bounds of the proposed city. The petition shall set out the metes and bounds of the proposed city, the number of the voters therefor and such other facts as may be proper."

Mr. Hamilton offered the following amendment to said bill, viz.:

Amend line twelve by striking out the words "as such" and inserting the word "such" immediately before city so that said line will read "no such city shall become incorporated unless it contains at least."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	H. H. Hays	William A. Perry
J. M. Billeter	Dr. S. L. Henry	J. D. Pumphrey
H. C. Blades	D. H. Hillman	Richard Radcliffe
Joseph Boitnott	J. J. Huff	Dr. W. R. Ray
Elmer L. Brown	R. B. Hutchcraft Jr.	S. H. Rogers
Glover H. Cary	T. R. Jones	W. E. Rogers
J. G. Coke, Jr.	Griffin Kelly	S. M. Saufley
Benjamin L. Cox	William J. Kuh	A. W. Sharp
James R. Dorman	Simon B. Lott	L. M. Smith
John W. Douglas	Dr. J.N.M'Cormack	Adam Spahn
John Drescher	Geo. M. McDowell	Ed. D. Stone
H. C. Duffy	John McDyer	W. T. Stott
John C. Duffy	John G. Miller, Jr.	N. C. Tilford
Thomas J. Evans	T. T. Mobley	M. S. Walton, Jr.
M. J. Farris, Jr.	J. R. Mount	James T. Webb
Vert C. Fraser	Harry J. Myers	W. M. Webb
Frank C. Greene	Zach. L. Myers	John F. White
E. V. Hall	John E. Newman	N. B. White
Elwood Hamilton	C. B. Nichols	M. O. Wilson
W. L. Hampton	S. Mazyck O'Brien	Roy S. Wilson
H. H. Harrington	A. W. Palmer	
J. B. Harvey	Lyman J. Parrigin	—64

Resolved that the title thereof be as aforesaid:

Mr. Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their salary and incidental expenses, while in the performance of public duties required of them by law, and providing for the payment thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all State officers, members of boards, members of commissions, or employes, who are now, or may hereafter be authorized by law to receive from corporations, the State Treasury, or from any fund appropriated out of the State Treasury, their traveling or other expenses incident to the discharge of their official duties, shall take a receipt on blanks to be furnished by the Auditor, for all items of expense incurred by them in excess of one ($1.00) dollar, and they shall submit to the Auditor an itemized statement of such expense accompanied by said receipt, before the Auditor audits or pays said expenses.

§ 2. When any subordinate officer is authorized to, and does, in the discharge of his official duty, incur any traveling or other personal expense, the itemized statement required by section 1 shall be approved by the head of the department to which said officer or employe belongs, before said account is audited or paid by the Auditor of Public Accounts.

§ 3. When an account is presented to the Auditor of Public Accounts in the form and manner set out in sections 1 and 2 by an officer or employe of the Commonwealth of Kentucky who by law is authorized to incur travleing or personal expenses while in the discharge of his official duty, the

Auditor shall forthwith audit said account and draw his warrant in favor of the person presenting said account for such part thereof as he may believe to be a just and proper expense incurred by said official or employe while in the discharge of his duty, and no personal or incidental expenses of any official or employe shall be audited or paid except in the manner as hereinbefore set out.

§ 4. All officers or employes of the Commonwealth of Kentucky, who, by reason of the duties assigned to their office, are required to be at the seat of government for the majority of the time, or who have offices located at the seat of government, shall not be permitted to charge for expenses except from Frankfort to the place where the business they are transacting is to be transacted, and from that place back to Frankfort; and those officers or employes who are assigned to duty at some place other than Frankfort shall only be permitted to charge to the Commonwealth such expenses as may be incurred in going from such place to the place where the business is transacted, and returning, and in no event shall the Auditor allow any claim of any official for expenses in going from the seat of government or the place where the official is assigned to duty to the claimant's real place of residence, or in return therefrom, unless it is shown that it was necessary for the claimant to make said trip in the discharge of business for the Commonwealth of Kentucky.

§ 5. All Acts and parts of Acts in conflict herewith are hereby repealed, and this Act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	H. H. Harrington	Lyman J. Parrigin
J. M. Billeter	J. B. Harvey	Lilburn Phelps
H. C. Blades	H. H. Hays	William A. Perry
Joseph Boitnott	W. E. Henninger	J. D. Pumphrey
Elmer L. Brown	Dr. S. L. Henry	Dr. W. R. Ray
Glover H. Cary	D. H. Hillman	S. H. Rogers
J. G. Coke, Jr.	J. J. Huff	W. E. Rogers
Benjamin L. Cox	R. B. Hutchcraft Jr.	B. T. Rountree
George T. Davis	T. R. Jones	S. M. Saufley
James R. Dorman	Griffin Kelly	A. W. Sharp
John W. Douglas	Simon B. Lott	L. M. Smith
John Drescher	Dr. J.N.M'Cormack	Adam Spahn
H. C. Duffy	Geo. M. McDowell	Ed. D. Stone
John C. Duffy	John McDyer	W. T. Stott
Odie Duncan	W. T. McNally	N. C. Tilford
Thomas J. Evans	John G. Miller, Jr.	M. S. Walton, Jr.
M. J. Farris, Jr.	T. T. Mobley	James T. Webb
W. N. Flippin	J. R. Mount	W. M. Webb
Vert C. Fraser	Harry J. Myers	John F. White
Frank C. Greene	Zach. L. Myers	N. B. White
E. V. Hall	John E. Newman	Roy S. Wilson
Elwood Hamilton	S. Mazyck O'Brien	
W. L. Hampton	A. W. Palmer	—67

Resolved, That the title thereof be as aforesaid.

Mr. H. J. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 19. An Act regulating certain fees to be charged by the Secretary of State.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. For furnishing copies of any record in his office the Secretary of State shall charge for each copy furnished or certified by him, ten cents for every one hundred dollars, which sum shall be covered into the State Treasury, and this charge shall be in addition to charge for seals as now provided.

§ 2. All laws in conflict with this Act are hereby repealed.

§ 3. As there is no law authorizing the Secretary of State to charge any fee for furnishing copies of records in his office, an emergency is declared to exist, and this Act shall take effect from its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	W. E. Heninger	Lilburn Phelps
J. M. Billeter	Dr. S. L. Henry	William A. Perry
Elmer L. Brown	D. H. Hillman	J. D. Pumphrey
Glover H. Cary	J. J. Huff	Richard Radcliffe
J. G. Coke, Jr.	R. B. Hutchcraft Jr.	Dr. W. R. Ray
Benjamin L. Cox	T. R. Jones	S. H. Rogers
George T. Davis	Griffin Kelly	W. E. Rogers
James R. Dorman	Simon B. Lott	B. T. Rountree
John W. Douglas	C. R. Luker	S. M. Saufley
John Drescher	Dr. J. N. M'Cormack	A. W. Sharp
H. C. Duffy	Geo. M. McDowell	L. M. Smith
John C. Duffy	John McDyer	Adam Spahn
Odie Duncan	W. T. McNally	Ed. D. Stone
Thomas J. Evans	John G. Miller, Jr.	W. T. Stott
M. J. Farris, Jr.	T. T. Mobley	N. C. Tilford
W. N. Flippin	J. R. Mount	James T. Webb
Vert C. Fraser	Harry J. Myers	W. M. Webb
Frank C. Greene	Zach. L. Myers	John F. White
E. V. Hall	John E. Newman	N. B. White
Elwood Hamilton	C. B. Nichols	M. O. Wilson
H. H. Harrington	S. Mazyck O'Brien	Roy S. Wilson
J. B. Harvey	A. W. Palmer	
H. H. Hays	Lyman J. Parrigin	—67

Resolved that the title thereof be as aforesaid.

Mr. Spahn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House adjourned.

MONDAY, JANUARY 26, 1914.

The House was opened with prayer by the Rev. Roger T. Nooe, of the Chirstian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Hutchcraft:

H. B. 295. An Act to provide for the uniform accounting and inspecting of the public offices of this Commonwealth.

To Committee on Revenue and Taxation.

By Mr. McDyer:

H. B. 296. An Act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infant, idiot or lunatic for mining purposes.

To Committee on Judiciary.

By Same:

H. B. 297. An Act to repeal section 1379 of Kentucky Statutes of 1909 relating to the working of prisoners on public work and roads and to substitute therefor.

To Committee on Public Roads and Highways.

By Mr. Parrigin:

H. B. 298. An Act to further regulate co-operative or assessment fire insurance companies.

To Committee on Insurance, Fire and Marine.

By Mr. Walton:

H. B. 299. An Act to amend Section 73 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Hall:

H. B. 300. An Act amending Section 2282 of the Kentucky Statutes, relating to appointment of trustee of the jury fund.

To Committee on Circuit Courts.

By Mr. Tilford:

H. B. 301. An Act providing for the publication of school text books.

To Committee on Education No. 2.

By Mr. Hamilton:

H. B. 302. An Act relating to crimes and punishments, making the erection and maintaining of bill boards, display boards, unsightly houses or sheds within four hundred feet

of the State Capitol Grounds a nuisance, and providing a penalty.

To Committee on State Capitol.

By Mr. Lott:

H. B. 303. An Act to suppress the buying of votes in elections.

To Committee on Suffrage and Elections.

By Mr. O'Brien:

H. B. 304. An Act to amend Section 2516 of the Kentucky Statutes relating to limitation of actions.

To Committee on Judiciary.

By Mr. Perry:

H. B. 305. An Act to amend an act entitled "An Act to amend the school laws and to create boards of education and to define their duties in cities of the first class.

To Committee on Municipalities.

By Mr. Luker:

H. B. 306. An Act to amend Section 7 of Chapter 117 of the Acts of 1912, thereby increasing minimum salaries of teachers and making provision for use of surplus State Fund left in hands of county boards.

To Committee on Education No. 1.

By Mr. Z. L. Myers:

H. B. 307. An Act prohibiting superintendents of Public Schools, principals or supervisors and teachers, who receive compensation for such services out of the Public School Fund, from acting as sales agent, either directly or indirectly, for any school book publishing house qualified to sell school text books in the State of Kentucky.

To Committee on Education No. 2.

By Mr. Huff:

H. B. 308. An Act to prohibit women over eighteen years of age from wearing in public skirts of less width than thirty three inches and fixing the penalty therefor.

To Committee on Propositions and Grievances.

Mr. Brown presented the petition of sundry citizens of Daviess County and the City of Owensboro, asking the enactment of a law repealing the anti-sweating law, which was received, its reading dispensed with and referred to the Committee on Criminal Law.

Mr. Harrington presented the petition of sundry citizens of Meade County asking the passage of a bill requiring one to have a written permit from the owner of the land before he can set steel traps, dead-falls or the like on the land of another, and making the trapper responsible for all damage done by his traps, &c., which was received, its reading dispensed with and referred to the Committee on Fish and Game.

A message was received from the Senate announcing that they had adopted a joint resolution of the following title, viz.:

S. Res. 10. Resolution upon the death of the Hon. Samuel Turley.

S. Res. 11. Resolution inviting Hon. David J. Lewis to address General Assembly on February 2, 1914.

Ordered that said resolutions lie on the Clerk's desk.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolutions of the following titles, viz.:

H. Res. 11. Resolution specifying how warrants shall be drawn in favor of departments and public institutions.

H. Res. 12. Resolution requesting the State Inspector and Examiner to furnish to this General Assembly certain information.

S. Res. 4. Resolution to appoint committee to draft suitable resolutions upon the death of General Simon Bolivar Buckner.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representative, in open session, in the presence of the House, affixed his signature to each of said resolutions.

Ordered that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolutions, which originatd in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 90. An Act fixing the times for holding Circuit Courts in the Thirty-fourth Judicial District.

H. B. 15. An Act to regulate the holding of Circuit Courts in the Twenty-sixth Judicial District of Kentucky.

H. B. 88. An Act to amend and re-enact Section 1051 of Chapter 35, Article three, Kentucky Statutes, 1909, compiled by John D. Carroll, entitled "Quarterly Courts."

H. B. 115. An Act to repeal and re-enact Chapter 74 of Acts of 1912, entitled "An Act relating to Fiscal Courts."

H. B. 154. An Act to provide a stenographer for the County Judge of counties having a population of two hundred thousand or over.

H. B. 136. An Act to amend Section 4131, Article 8, Chapter 108 of the Kentucky Statutes.

H. B. 85. An Act to amend Section 1 of Chapter 6 of the Acts of 1912, entitled An Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate soldiers.

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read by their titles.

Ordered that said bills be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled.

H. B. 8. An Act providing that all persons charged with criminal or penal offenses in all courts inferior to circuit courts in this Commonwealth, shall be entitled to trial by jury.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter all persons charged with criminal or penal offenses in any court in this Commonwealth, inferior to Circuit Courts, shall be entitled to trial by jury.

§ 2. That all laws or parts of laws in conflict with this Act are hereby repealed.

§ 3. This Act shall take effect from and after its passage and approval by the Governor.

Mr. Perry offered the following amendment to said bill, viz.:

Amend by adding after the word "jury" in line three the following words, "provided the provisions of this act shall not apply to police courts in cities of the first and second class."

Said amendment was agreed to.

Mr. John C. Duffy offered the following amendment to said bill:

Amend by adding the words "except in examining trials" after the word "offenses" in line two.

Said amendment was agreed to.

Mr. Reed offered the following amendment to said bill:

"Provided that this bill shall not apply to the police courts of cities of the third, fourth and fifth classes."

Said amendment was disagreed to.

Ordered that said bill be engrossed and read the third time.

The provision of the Constitution as to the reading of said bill at length being dispensed with, said bill, as amended and engrossed, was read the third time by its title, and as amended was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	Joseph Boitnott	Benjamin L. Cox
Harry Avery	Elmer L. Brown	George T. Davis
Wallace Bailey	C. W. Burton	John Drescher
James W. Barrall	Glover H. Cary	John C. Duffy
J. M. Billeter	Ed. F. Cecil	William Duffy
H. C. Blades	J. G. Coke, Jr.	Odie Duncan

W. N. Flippin	J. C. Lay	Dr. T. J. Poteet
Vert C. Fraser	Simon B. Lott	W. A. Price
Frank C. Greene	C. R. Luker	Richard Radcliffe
C. M. Gum	Geo. M. McDowell	Dr. W. R. Ray
E. V. Hall	W. T. McNally	B. T. Rountree
W. L. Hampton	T. T. Mobley	A. W. Sharp
H. H. Harrington	J. R. Mount	Ed. D. Stone
J. B. Harvey	Harry J. Myers	W. T. Stott
H. H. Hays	Zach. L. Myers	Louis Tieman
W. E. Heninger	C. B. Nichols	N. C. Tilford
Dr. S. L. Henry	A. J. Oliver	M. S. Walton, Jr.
D. H. Hillman	A. W. Palmer	W. M. Webb
J. J. Huff	Lyman J. Parrigin	N. B. White
J. M. Johnson	Lilburn Phelps	J. D. Wills
T. R. Jones	William A. Perry	M. O. Wilson
William J. Kuh	John A. Polin	Roy S. Wilson

—67

Those who voted in the negative were—

H. C. Duffy	Dr. J. N. M'Cormack	Stanley F. Reed
Thomas J. Evans	John McDyer	S. H. Rogers
M. J. Farris, Jr.	John G. Miller, Jr.	W. E. Rogers
Elwood Hamilton	John E. Newman	L. M. Smith
R. B. Hutchcraft Jr.	S. Mazyck O'Brien	
Griffin Kelly	J. D. Pumphrey	

—16

Resolved, that the title thereof be as aforesaid.

Mr. Oliver moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. H. C. Duffy moved that the House do now adjourn.

Said motion was disagreed to.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 13. An Act relating to the holding of circuit courts in counties having therein cities of the sixth class or larger, located within two miles of the geographical center of said county and ten miles or more from the county seat thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in any county of this Commonwealth having therein, or that may thereafter have therein a city of the sixth class or larger, located within two miles of the geographical center of said County and ten miles or more from the county seat of the said county, the distance to be measured from the Court House in the county seat to the post office of the said city, located within two miles of the geographical center of said county, and along the most convenient and usually traveled public highways, the Circuit Courts of such counties shall be held alternately so as to divide the time between the county seat and the said city located ten miles or more therefrom, and within two miles of the geographical center of said county, as the business may require, the first part of each term as now provided by law to be held at the county seat, and the other part of the term to be held at said city, located ten miles or more therefrom and within two miles of the geographical center of said county.

§ 2. It shall be the duty of the Judges of the Circuit Courts of the Judicial Districts, embracing counties wherein there is a city of the sixth class or larger, within two miles of the geographical center of said county and ten miles or more from the county seat thereof, to cause to be summoned and impaneled grand and petit juries, and in all things to

conduct the said court in said city, in the same manner as provided by law for the holding of Courts in the county seat of the county: Provided, however, that said Circuit Court may adjourn the grand or petit jury selected for the holding of courts at either of said places to the other.

§ 3. All civil cases brought and prosecuted in said county shall be tried in the court nearest where the defendant resides, the distance to be measured along and by the most convenient and usually traveled public highway. Where there are two or more defendants, part of whom reside near the county seat, and part nearer the city of the sixth class or larger located within two miles of the center of said county and ten miles or more from the county seat, the case may be tried at either place. In all cases the court shall have a liberal discretion, and may try any case at any place, where the ends of justice and convenience of the greater number of parties and witnesses may be subserved and the decision of the court in this regard shall be final, and not subject to exception or review on appeal.

§ 4. All criminal cases shall be tried at the place nearest where the offense was committed, provided, if the court be of the opinion that the ends of justice would be better subserved thereby, he may try any criminal case at either of said places, and it shall not be a ground of appeal or reversal that any such case was tried at one place when it should have been tried at the other.

§ 5. Any sixth class or larger city coming within the provisions of this Act shall be entitled to its benefits, whenever suitable provision is made by said city for furnishing a court room, and a safe and suitable vault and depository for all books, papers and records pertaining to the said Circuit Court, and other expenses to the County, and whenever it is made to appear to the Circuit Judge that said city has made the necessary provisions for holding said court, as provided in this Act, it shall then be the duty of said judge, upon application of said city, on the first day of the first term after

filing said application, to enter an order directing the latter portion of said term and each term thereafter, to be held in said city, and all cases shall be assigned for trial at one or the other of said places of holding said court, in accordance with the terms of this Act.

§ 6. This Act shall not apply to counties, the county seats of which are cities of the fourth class or larger; nor to counties in which Circuit Courts are now held in two different places.

Mr. Perry offered the following amendment to said bill:

Amend by striking out of section six the words "or larger" and add before the word "fourth" the words "first, second, third and."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, said bill as amended was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	J. G. Coke, Jr.	Vert C. Fraser
Harry Avery	Benjamin L. Cox	C. M. Gum
James W. Barrall	John Drescher	Elwood Hamilton
J. M. Billeter	William Duffy	W. L. Hampton
Joseph Boitnott	M. J. Farris, Jr.	J. B. Harvey
C. W. Burton	W. N. Flippin	H. H. Hays

Dr. S. L. Henry	John McDyer	B. T. Rountree
D. H. Hillman	W. T. McNally	A. W. Sharp
J. J. Huff	John G. Miller, Jr.	Ed. D. Stone
J. M. Johnson	J. R. Mount	Louis Tieman
T. R. Jones	Zach. L. Myers	N. C. Tilford
Griffin Kelly	C. B. Nichols	James T. Webb
William J. Kuh	Lilburn Phelps	W. M. Webb
Simon B. Lott	William A. Perry	M. O. Wilson
C. R. Luker	Richard Radcliffe	Roy S. Wilson
Dr. J. N. M'Cormack	Dr. W. R. Ray	—47

Those who voted in the negative were—

Elmer L. Brown	Geo. M. McDowell	J. D. Pumphrey
Glover H. Cary	T. T. Mobley	Stanley F. Reed
Ed. F. Cecil	Harry J. Myers	S. H. Rogers
H. C. Duffy	John E. Newman	W. E. Rogers
John C. Duffy	S. Mazyck O'Brien	L. M. Smith
Thomas J. Evans	A. W. Palmer	W. T. Stott
H. H. Harrington	John A. Polin	J. D. Wills
R. B. Hutchcraft Jr.	Dr. T. J. Poteet	—23

Resolved, That the title thereof be as aforesaid.

Mr. Jones moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Polin moved that the House do now adjourn.

Said motion was agreed to.

TUESDAY, JANUARY 27, 1914.

The House was opened with prayer by the Rev. Roger T. Nooe, of the Christian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

A message was received from the Senate announcing that they had concurred in a resolution which had originated in the House of the following title, viz.:

H. Res. 14. Resolution of respect to the memory of Hon. Samuel Turley, deceased, late a member of the House of Representatives.

Mr. John C. Duffy offered the following resolution, viz.:

Whereas, Hon. W. A. Price, a member of this body from the 81st Legislative District, on January 26, 1914, introduced a resolution in this honorable body that reflects discredit and corruption upon the members, officers and employes of this honorable body, and

Whereas, if said charges were ignored or go un-noticed, would advertise this honorable body as being unfit and incompetent to discharge the duties that devolve upon it, now therefore,

Be it resolved by the House of Representatives:

That the Hon. W. A. Price, member of this body from the 81st Legislative District, be immediately called before the bar of this House, and required to disclose, under oath, what information or facts he has in his possession on which

to base the charges made in the resolution introduced by him on the 26th day of January, 1914, and that he be required to disclose the names of any and all persons he may have in his possession, who know any facts touching the charges made in said resolution, and that the names of the persons disclosed by him be immediately summoned to appear before this honorable body, and be required to disclose under oath, any information or facts that they may have or know touching the charges made in said resolution.

Said resolution was adopted.

The yeas and nays being required thereon by Messrs. Greene and Tieman were as follows, viz.:

Those who voted in the affirmative were—

H. C. Blades	Dr. S. L. Henry	Dr. T. J. Poteet
Elmer L. Brown	D. H. Hillman	Richard Radcliffe
C. W. Burton	J. M. Johnson	Dr. W. R. Ray
Glover H. Cary	T. R. Jones	Stanley F. Reed
Ed. F. Cecil	Griffin Kelly	S. H. Rogers
J. G. Coke, Jr.	Dr.J.N.M'Cormack	W. E. Rogers
Benjamin L. Cox	John McDyer	S. M. Saufley
John Drescher	W. T. McNally	L. M. Smith
John C. Duffy	John G. Miller, Jr.	W. T. Stott
William Duffy	T. T. Mobley	N. C. Tilford
G. P. Durrett	J. R. Mount	M. S. Walton, Jr.
Ed Frost	Zach. L. Myers	James T. Webb
Elwood Hamilton	John E. Newman	John F. White
W. L. Hampton	C. B. Nichols	Roy S. Wilson
H. H. Harrington	S. Mazyck O'Brien	
H. H. Hays	John A. Polin	—46

Those who voted in the negative were—

Peter Ampler	C. M. Gum	William A. Perry
Geo. B. Barrett	J. B. Harvey	B. T. Rountree
J. M. Billeter	J. J. Huff	A. W. Sharp
Joseph Boitnott	R. B. Hutchcraft Jr.	Ed. D. Stone
George T. Davis	William J. Kuh	Louis Tieman
H. C. Duffy	J. C. Lay	W. M. Webb
Odie Duncan	C. R. Luker	N. B. White
Thomas J. Evans	Geo. M. McDowell	J. D. Wills
W. N. Flippin	Lyman J. Parrigin	M. O. Wilson
Frank C. Greene	Lilburn Phelps	—29

Thereupon, Mr. W. A. Price, a member of this House from the 81st Representative District, which is situated in the City of Covington, in obedience to said resolution, appeared at the bar of the House, and after being sworn by the Chief Clerk thereof, proceeded to make his statement to the House, and to answer all questions propounded to him by the members of the House.

At 11 o'clock A. M.

Mr. H. J. Meyers moved that the special order of the day for that hour, to-wit: A bill entitled,

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries and of minors to the House of Reform.

Be postponed until the matter before the House is disposed of.

Said motion was agreed to.

At the conclusion of the statement and testimony of the said W. A. Price, sundry witnesses were called and sworn

and testified before the House, viz.: Mr. John L. Rich, Harry J. Meyers, Matt S. Walton, Shelton Saufley, Elwood Hamilton, Henry M. Bosworth.

The Speaker (Mr. Terrell) vacated the Chair and designated Hon. Matt S. Walton as Speaker Pro Tem.

Mr. Spahn moved that the House do now adjourn.

Said motion was disagreed to.

Mr. Terrell offered the following resolution, viz.:

Whereas, The gentlemen from the 81st District on yesterday introduced, and there now lies on the Clerk's desk of this House, a resolution which seeks to have investigated the organization of this General Assembly, and,

Whereas, The said resolution casts a reflection upon the integrity and honor of the Presiding Officer of this House and the other officers elected by this House, and upon the entire membership thereof, especially the Democratic membership, and,

Whereas, The said gentleman from the said 81st District, having been by a resolution called before the bar of this House, and under oath, required to give any information that he might have in his possession with regard to any influences improper as to the organization or election of the officers of this House, and after having been examined and disclaimed any intention in said resolution to reflect, in any way whatever, upon the integrity or honor of the Presiding Officer of this House or any of the officers elected by this House, or any member thereof; therefore,

Be it Resolved, That the resolution introduced by the said gentleman from the 81st District be expunged from the records of this House, and that he be required to file a written statement over his signature that he did not in

said resolution intend by the terms thereof to reflect on the character, integrity or honor of the Presiding Officer of this House, or the other elective officers of the same, or any member thereof.

Mr. Hutchcraft offered the following amendment to said resolution:

Strike out the word "casts" in line one, in the second paragraph of the preamble, and insert in lieu thereof the words "has been interpreted by some as casting."

Said amendment was agreed to.

Mr. Terrell moved that said resolution as amended be adopted, and said motion was seconded by the said W. A. Price.

Said resolution, as amended, was then adopted.

The House took up for consideration the special order of the day, to-wit:

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries and of minors to the House of Reform.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter, whenever any person or persons shall have been convicted of a felony and sentenced by the judgment of court in any of the courts of this State to either of the State penitentiaries, the judge of the court in which said judgment and sentence are entered shall, at the proper

time, notify, by wire or otherwise, the Warden of the penitentiary to which said prisoner or prisoners shall have been sentenced, of the number and sex of the persons so sentenced by judgment of said court.

§ 2. The Warden so notified shall send at once a deputy warden with a guard or a sufficient number of guards, with written authority signed by him, to convey said person or persons to said penitentiary, and the said deputy warden shall call upon the jailer of the county in which said person or persons may be confined, and receive said person or persons, and receipt the jailer of said county for the said person or persons in custody, and shall safely convey said person or persons to the warden of the penitentiary to which sentenced.

§ 3. Should any person or persons be committed to the House of Reform, at Lexington, Kentucky, as now provided by law, the judge of the court so committing the said person or persons to the said House of Reform shall likewise notify the Superintendent thereof, and said Superintendent shall send a guard or guards with written authority signed by said Superintendent, to receive and convey the said person or persons so committed to said House of Reform, according to the judgment of the court so committing said person or persons to said House of Reform.

§ 4. The Warden of the penitentiary, or the Superintendent of the House of Reform, to which any person or persons shall have been sentenced or committed as above set forth, shall itemize the actual expense of conveying said person or persons to the institution under his charge, and shall certify the same to the Auditor of Public Accounts who shall issue his warrant upon the State Treasurer for the amount thereof, in favor of said Warden or Superintendent; and shall also report same to the Board of Prison Commissioners.

Mr. Mount offered the following amendment to said bill, viz.:

Strike out section two of said bill, and insert in lieu thereof the following: Sec. 2. The Warden so notified shall send at once a deputy warden with a guard if necessary, or a sufficient number of guards with written authority signed by him to convey said person or persons to said Penitentiary or Reformatory, and the said deputy warden shall call upon the Jailer of the county in which said person or persons may be confined and receive said person or persons, and receipt to the Jailer of said county for the said person or persons in custody, and shall safely convey said person or persons to the Warden of the Penitentiary or Reformatory to which sentenced.

Said amendment was agreed to.

Mr. Spahn offered the following amendment to said bill, viz.:

Amend by adding as section five the following: "That the provisions of this act shall not apply to counties having a population of two hundred thousand people or over."

Mr. Reed offered the following amendment to said bill by way of substitute therefor and pending amendments, viz.:

An Act to provide for the conveyance of prisoners to the Penitentiaries.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 361 of the Kentucky Statutes, Carroll's edition 1909, be amended by substituting for the words "ten

cents per mile for officer and each guard," the words "ten cents per mile for officer and two dollars per day and his actual necessary expenses for each guard."

That section 361 of the Kentucky Statutes, Carroll's edition 1909, be further amended by adding at the end thereof, "provided that all persons convicted at the same term shall be conveyed at one time. For the purpose of this provision the term of courts of continuous session shall be construed to extend from the calling of one grand jury to the calling of another."

So that this section when amended shall read as follows:

"For conveying prisoners to penitentiaries, ten cents per mile for the officer and two dollars ($2.00) per day and his actual necessary expenses for each guard, to be calculated by the nearest travelled route, and the actual necessary expenses for feeding, lodging and transporting the prisoner, but the number of guards employed in conveying prisoners shall not exceed one for every two prisoners. When but one prisoner is conveyed, no guard shall be employed. Provided, that all persons convicted at the same term shall be conveyed at one time. For the purpose of this provision, the term of courts of continuous session shall be construed to extend from the calling of one grand jury to the calling of another."

Pending the further consideration of said bill, the hour of 1:30 o'clock P. M. having arrived, the House, under the rules, stood adjourned until tomorrow morning at 9 o'clock.

WEDNESDAY, JANUARY 28, 1914.

The House was opened with prayer by the Rev. Roger T. Nooe, of the Christian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Hutchcraft:

H. B. 309. An Act to regulate and control fraternal benefit societies.

To Committee on Insurance, Life and Accident.

By Mr. Farris:

H. B. 310. An Act permitting proprietors of repair shops to sell articles upon which the charges have not been paid.

To Committee on Commerce and Manufacturing.

By Mr. Greene:

H. B. 311. An Act to amend sections 2282, Chapter 74, Kentucky Statutes.

To Committee on Circuit Courts.

By Mr. Parrigin:

H. B. 312. An Act providing for the plugging of gas wells and for preventing the waste of natural gas.

To Committee on Kentucky Statutes.

By Mr. Stone:

H. B. 313. An Act to prevent the Eastern Normal School, the Western Normal School and the State University from purchasing or owning any real estate except pursuant to specific authority so to do from the Legislature, and directing such institutions to dispose of any real estate purchased contrary to the provisions of this act.

To Committee on State University and Normal Schools.

By Mr. Kelly:

H. B. 314. An Act to amend subsection 5 of section 4426a, chapter 113, article VIa, Carroll's Statutes, 1909 edition, page 1776.

To Committee on Education No. 1.

By Same:

H. B. 315. An Act to amend section 5 of an act entitled "An Act to amend Chapter 113, Article VIa, Carroll's Kentucky Statutes, 1909 (page 133. Act of March 24, 1908) Districts, Trustees, Teachers, Taxation" found in Acts of 1912, page 121.

To Committee on Education No. 1.

By Mr. Nichols:

H. B. 316. An Act relating to fiscal courts in counties containing cities of the second class.

To Committee on County and City Courts.

By Mr. Walton:

H. B. 317. An Act to provide for the employment of a competent employe to ascertain the fair value of physical properties of common carriers in Kentucky.

To Committee on Railroads.

By Same:

H. B. 318. An Act to further amend and re-enact section 3100 of the Kentucky Statutes relating to the improvement of streets in cities of the second class.

To Committee on Municipalities.

By Mr. Hamilton:

H. B. 319. An Act requiring that the State Museum, cabinet, and also all geological collections belonging to the State Geological Survey now at Lexington, Kentucky, be removed to Frankfort, Ky.

To Committee on State University and Normal Schools.

By Same:

H. B. 320. An Act changing the times for the sessions of circuit courts of the Fourteenth Judicial District.

To Committee on Circuit Courts.

By Mr. Hampton:

H. B. 321. An Act further regulating elections.

To Committee on Suffrage and Elections.

By Mr. Mount:

H. B. 322. An Act to fix the amount of license tax required of retail liquor dealers.

To Committee on Revenue and Taxation.

By Mr. James T. Webb:

H. B. 323. An Act to amend and re-enact section 4022, Carroll's Kentucky Statutes, 1909 edition, so that in valuing real estate for purposes of taxation all purchase money notes that the vendee owes on said land which is a lien on same shall be deducted from the value of said real estate, and so that the owner of said land shall only be assessed with the amount he has actually paid on same.

To Committee on Revenue and Taxation.

By Mr. Drescher:

H. B. 324. To amend section 684 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Same:

H. B. 325. An Act for the protection of persons engaged in selling hay, grain, feed or provender for consumption by live stock.

To Committee on Agriculture.

By Mr. Spahn:

H. B. 326. An Act to regulate the operation of private employment agencies in this Commonwealth.

To Committee on Commerce and Manufacturing.

By Same:

H. B. 327. An Act relating to the protection of employes on buildings, and providing punishment for the violation thereof.

To Committee on Municipalities.

By Same:

H. B. 328. An Act to prevent fraud by regulating the keeping of eggs in cold storage and the sale and use of eggs so kept.

To Committee on Commerce and manufacturing.

By Mr. O'Brien:

H. B. 329. An Act to amend that part of an act entitled "An Act for the government of cities of the First Class," which act relates to Revenue and Taxation.

To Committee on Municipalities.

By Same:

H. B. 330. An Act to amend sections 2 and 5 of article 1 of an act entitled "An Act relating to Revenue and Taxation."

To Committee on Revenue and Taxation.

By Same:

H. B. 331. An Act to amend an act of March 12, 1912, entitled An Act limiting the time in which the enforcement of tax titles and tax liens may be affected.

To Committee on Judiciary.

By Mr. W. M. Webb:

H. B. 332. An Act to regulate the employment of physicians and surgeons by companies or corporations operating coal mines or lumber mills in this Commonwealth.

To Committee on Mines and Mining.

By Mr. H. J. Meyers:

H. B. 333. An act creating a State Board of Accountance, prescribing its powers and duties, providing for examination and issuing certificates to qualified public accountants, and providing penalty for violation of the provisions of this act.

To Committee on Revenue and Taxation.

By Same:

H. B. 334. An Act to create and establish the Kentucky State Board of Examiners in Optometry, describing its duties and powers, defining and regulating the practice of Optometry in this State, and prescribing a penalty for the violation thereof.

To Committee on Kentucky Statutes.

By Mr. M. O. Wilson:

H. B. 335. An Act designating the 12th day of February a legal holiday in commemoration of Lincoln's birthday.

To Committee on Kentucky Statutes.

By Mr. Saufley:

H. B. 336. An Act to provide for the removing and abolishing gates on public roads in this State.

To Committee on Public Roads and Highways.

By Mr. Johnson:

H. B. 337. An Act to amend and re-enact section 6 of an act passed by the General Assembly of Kentucky in the year 1910, being entitled "An Act to provide for holding circuit courts and the trial of cases therein when from any cause the Judge should fail to attend, or if in attendance, cannot properly preside, same act recorded on pages 20 to 22 inclusive of the acts of 1910, so as to reduce the salary of Special Judges from $1,200.00 a year to $500.00 a year.

To Committee on Circuit Courts.

By Mr. Frost:

H. B. 338. An Act to provide for the sale of the farm of the Kentucky Normal and Industrial Institute for colored persons, to provide for the deposit of its funds, the employment of a Treasurer, the placing of insurance, the purchase of supplies and for the government and regulation of said institution.

To Committee on State University and Normal Schools.

By Same:

H. B. 339. An Act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional inspectors; to fix the salaries of the chief inspector and the assistant inspectors of mines; and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State.

To Committee on Mines and Mining.

By Mr. Rogers:

H. B. 340. An act to prohibit waiters and servants from accepting tips in hotels and restaurants, barber shops, pullman cars and other places, and prohibiting persons from offering or giving tips and prescribing punishment thereof.

To Committee on Ways and Means.

By Mr. Henry:

H. B. 341. An Act to make it unlawful in the State of Kentucky for any individual, firm or corporation engaged

in the business of selling groceries, meats, vegetables, dry goods, notions or drugs, to sell or keep for sale any intoxicating liquors to be drunk on the premises and to declare the same to be a nuisance and to provide penalties therefor.

To Committee on Alcoholic Liquor Traffic.

By Mr. Palmer:

H. B. 342. An Act to repeal section 1377, section 1379, section 1380 and section 1381 Kentucky Statutes, Carroll's edition of 1909, and to re-enact same, relating to fines and punishments.

To Committee on Criminal Law.

By Mr. Lay:

H. B. 343. An Act creating a Board of Opticians and regulating the fitting of glasses.

To Committee on Kentucky Statutes.

By Mr. Phelps:

H. B. 344. An Act to regulate cost in proceedings to exonerate property wrongfully or erroneously assessed.

To Committee on Revenue and Taxation.

By Mr. Roy S. Wilson:

H. B. 345. An Act providing for the licensing of local Fire Insurance Agents in Kentucky; prescribing certain qualifications that agents must possess before eligible to being licensed and conditions upon which such license may

be granted; creating and defining the powers and duties of a Board of Examiners for the purpose of carrying out the provisions of this act; and prescribing a penalty for its violation.

To Committee on Insurance, Fire and Marine.

By Mr. Hutchcraft:

H. B. 346. An Act to amend an act entitled: "An Act to establish a Department of Banking, providing for the appointment of a Commissioner, Deputy Commissioner, and Examiners thereof, and prescribing their duties; and for the examination of all financial institutions organized and doing business under the laws of this Commonwealth," which act became a law upon the approval of the Governor on March 1, 1912.

To Committee on Banks and Banking.

By Mr. John C. Duffy:

H. B. 347. An Act to provide for the appointment of a State Board of Regents for the management of the Eastern State Normal School, the Western State Normal School, and the Kentucky Normal and Industrial Institute for Colored Persons.

To Committee on State University and Normal Schools.

The House took up for consideration the unfinished business from yesterday, to-wit: A bill entitled,

H. B. 32. An Act to provide for the conveyance of prisoners to the State Penitentiaries and of minors to the House of Reform.

(For said bill see yesterday's Journal.)

Mr. John C. Duffy offered the following amendment to said bill:

Amend by adding to line seven of section four the following:

"Provided, however, that Sheriffs now in office shall continue to convey prisoners to the State Reformatory at Frankfort, Kentucky, and to the Penitentiary at Eddyville, Kentucky, for which they shall receive the compensation now provided by law, except for guards allowed, for which the guards shall be allowed three dollars per day and actual expenses in going to and from the said penitentiaries, which shall be itemized and certified by the Sheriff to the Auditor of Public Accounts for payment."

Said amendment was disagreed to.

Mr. Reed, by the unanimous consent of the House, withdrew the substitute amendment which he offered on yesterday.

(For said substitute see yesterday's Journal.)

Mr. Reed offered the following amendment to said bill by the way of substitute therefor, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 361 of the Kentucky Statutes, Carroll's edition, 1909, be amended by substituting for the words "ten cents per mile for officer and each guard," the words "ten cents per mile for the officer, and two dollars ($2.00) per day and his actual necessary expenses for each guard.

That section 361 of the Kentucky Statutes, Carroll's edition 1909, be further amended by adding at the end thereof, "provided that all persons convicted at the same term shall be conveyed at one time. For the purpose of this provision the terms of courts of continuous session shall be construed to extend from the calling of one grand jury to the calling of another."

2. For conveying infants to the House of Reform at Lexington, Kentucky, two dollars per day for the officer in charge, and the actual necessary traveling expenses of the officer in charge, and of the infant. So that said section, when amended, shall read as follows:

"For conveying prisoners to penitentiary, ten cents per mile for the officer and two dollars ($2.00) per day and his actual necessary expenses for each guard, to be calculated by the nearest travelled route, and the actual necessary expenses for feeding, lodging and transporting the prisoner, but the number of guards employed in conveying prisoners shall not exceed one for every two prisoners. When but one prisoner is conveyed no guard shall be employed. Provided, that all persons convicted at the same term shall be conveyed at one time. For the purpose of this provision, the term of courts of continuous session shall be construed to extend from the calling of one grand jury to the calling of another."

2. For conveying infants to the House of Reform at Lexington, Kentucky, two dollars ($2.00) per day for the officer in charge and the actual necessary traveling expenses of the officer in charge and the infants.

Said substitute amendment was agreed to.

Ordered that said bill, as amended, by said substitute, be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length, being dispensed with, and the same be-

ing engrossed, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Henry Avery	H. H. Hays	Lilburn Phelps
James W. Barrall	Dr. S. L. Henry	William A. Perry
H. C. Blades	D. H. Hillman	Dr. T. J. Poteet
Joseph Boitnott	R. B. Hutchcraft Jr.	J. D. Pumphrey
Glover H. Cary	J. M. Johnson	Richard Radcliffe
J. G. Coke, Jr.	T. R. Jones	Dr. W. R. Ray
Benjamin L. Cox	Griffin Kelly	Stanley F. Reed
George T. Davis	Simon B. Lott	S. H. Rogers
James R. Dorman	C. R. Luker	W. E. Rogers
John W. Douglas	Dr. J. N. M'Cormack	S. M. Saufley
John Drescher	Geo. M. McDowell	A. W. Sharp
H. C. Duffy	John McDyer	L. M. Smith
John C. Duffy	W. T. McNally	W. T. Stott
Thomas J. Evans	John G. Miller, Jr.	M. S. Walton, Jr.
M. J. Farris, Jr.	T. T. Mobley	W. M. Webb
Ed Frost	J. R. Mount	John F. White
E. V. Hall	John E. Newman	N. B. White
Elwood Hamilton	C. B. Nichols	J. D. Wills
W. L. Hampton	A. W. Palmer	Roy S. Wilson
H. H. Harrington	Lyman J. Parrigin	—59

Those who voted in the negative were—

Peter Ampler	William Duffy	J. B. Harvey
Wallace Bailey	Odie Duncan	J. J. Huff
J. M. Billeter	G. P. Durrett	William J. Kuh
Elmer L. Brown	Vert C. Fraser	J. C. Lay
C. W. Burton	Frank C. Greene	Harry J. Myers
Ed. F. Cecil	C. M. Gum	Zach. L. Myers

S. Mazyck O'Brien	B. T. Rountree	N. C. Tilford
A. J. Oliver	Adam Spahn	James T. Webb
John A. Polin	Ed. D. Stone	M. O. Wilson
W. A. Price	Louis Tieman	—29

Resolved, that the title thereof be as follows:

An Act to provide for the conveyance of prisoners to the institutions under charge of the Board of Prison Commissioners.

Mr. Reed moved that the vote by which said bill was passed be reconsidered and that said vote lie on the table.

Said motion was agreed to.

A message was received from the Governor announcing that he had approved and signed joint resolutions which originated in the House of the following titles, viz.:

H. Res. 10. Resolution providing for printing for the use of the members of the House and Senate, House Bill No. 45, and report of the Special Tax Committee.

H. Res. 12. Resolution requesting the State Inspector and Examiner to furnish to this General Assembly certain information.

A message was received from the Senate announcing that they had passed a bill of the following title:

S. B. 14. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law, and providing for the payment thereof.

Said bill was ordered to be printed and referred to the Committee on State Prisons and Houses of Reform.

Mr. Perry called up for consideration from the Clerk's desk the joint resolution which originated in the Senate entitled:

S. Res. 11. Resolution inviting Hon. David J. Lewis to address General Assembly on February 2, 1914.

Said resolution is as follows, viz.:

Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Hon. David J. Lewis of the National House of Representatives be invited to address a joint session of both Houses on the question of workmens compensation laws on Monday, February 2, 1914, at one o'clock P. M., instead of Thursday, January 29th, 1914.

Said resolution was concurred in.

Mr. Price rising to a question of personal privilege sent to the Clerk's desk, and had read, a communication, and statement signed by him, purporting to be a compliance with the resolution which was offered on yesterday by Mr. Terrell and seconded by Mr. Price. (For said resolution see yesterday's Journal.)

Mr. Saufley moved that the committees be now called for reports.

Said motion was agreed to.

At 12 o'clock meridian.

Mr. Saufley moved that the consideration of the orders of the day be postponed until the completion of the call of the Committees.

Said motion was agreed to.

Mr. Saufley moved that the session of today be extended until the completion of the call of the committees.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Farris, of the Committee on Agriculture:

H. B. 165. An Act to provide for the registration of names for farms and to prevent the use of such names when registered.

By Same:

H. B. 17. An Act to promote the live stock interests in the State of Kentucky.

By Same:

H. B. 164. An Act to amend section 67 and subsection 3 and 4 of section 68a, article 3, Carroll's edition, Kentucky Statutes, 1909.

By Mr. Hampton, of the Committee on Alcoholic Liquor Traffic:

H. B. 206. An Act prohibiting the shipment of liquors for sale in local option territory and prohibiting persons

from having in possession for sale liquors in such territory.

By Same:

H. B. 222. An act to repeal chapter 97 session acts of 1912, entitled, An Act to amend an act entitled "Crimes and Punishments."

By Same:

H. B. 86. An act to provide for the search of premises in local option territory where intoxicating liquors are sold, or suspected of being sold, for the seizure of such intoxicating liquors, for the arrest of the person or persons in charge of such premises or intoxicating liquors and for the purpose of declaring such intoxicating liquors contraband and direct their confiscation and destruction.

By Mr. Drescher:

H. B. 1. An Act entitled an act to amend section 1 of an act entitled, An Act requiring Fiscal Courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings and prescribing penalties for failure to perform such duties, approved March 21, 1910.

By Same:

H. B. 224. An Act authorizing counties of this State to own and operate ferries.

By Mr. R. S. Wilson, of the Committee on Cities of the Fourth Class:

H. B. 72. An Act to amend subsection two of section 3490, chapter 89 Kentucky Statutes.

By Mr. Greene, of Committee on Constitutional Amendments.

H. B. 161. An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges.

By Mr. J. C. Duffy, of Committee on Education No. 2:

H. B. 27. An Act creating a State Text Book Commission to adopt for use in the common schools of Kentucky a uniform series of text books, regulating the price thereof, defining the powers and duties of said Commission and the method of selection of such text books and their distribution, prescribing penalties for the violation of this act, and repealing chapter 13, of the acts of the General Assembly of Kentucky, approved March 15, 1910.

With an amendment thereto by way of substitute therefor.

Mr. H. J. Meyers moved that said substitute amendment be printed.

Said motion was agreed to.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 175. An Act for the protection of game and fish, providing for nonresident fishing and trapping license and repealing certain sections thereof Carroll's 1909 edition of the Kentucky Statutes, approved March 22, 1910.

With an amendment thereto.

By Same:

H. B. 174. An Act amending an Act entitled "An Act for the protection of game and fish," approved March 12, 1912.

With amendments thereto.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 150. An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial thereof, and providing what shall be a defense.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 134. An Act to punish the making or use of false statements to obtain property or credit, and making certain offenders personally liable.

With amendment thereto.

By Same:

H. B. 198. An Act permitting any sheriff to take a replevin bond in satisfaction of a capias pro fine.

By Same:

H. B. 265. An Act to amend subsection 2 of section 8 of an act of the Commonwealth of Kentucky, entitled, An Act relating to husband and wife and entitled, Husband and Wife, approved May 16, 1893 being chapter 205 session acts of the Legislature of Kentucky, 1893, and also being subsection 2 of section 2103 Kentucky Statutes, 1909, John D. Carroll's edition.

By Mr. Kelly, of Committee on Public Ditches and Fences:

H. B. 57. An Act relating to the drainage of lands, the duties of the owners thereof through which ditches, drains, creeks or non-navigable streams pass prescribing the method of procedure, the assessment and collection of the cost and expense thereof and prescribing the duties of officers relative thereto.

With an amendment thereto.

By Mr. Wills, of the Committee on Ways and Means:

H. B. 208. An Act to reduce the compensation of the members of the General Assembly of Kentucky.

Without expression of opinion.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 1. An Act empowering Boards of Trustees of all common graded schools created by the vote of the people operating in this State to levy and collect an annual tax for the maintenance, operating and support of the graded schools in their respective districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Board of Trustees of all common graded schools created by a vote of the people, operating in this State, which do not now levy and collect as much as fifty cents on each one hundred ($100.00) dollars of taxable prop-

erty within their respective districts, be and the same are empowered to levy and collect any rate of tax annually, for the purpose of maintaining, operating and supporting the graded schools in their respective districts, not to exceed fifty cents on each one hundred ($100.00) dollars, of taxable property, within their respective districts when in their judgment a greater rate of tax than is now levied and collected in their respective districts, is necessary and the interests and demands of said schools make it expedient so to do.

§ 2. Owing to the conditions of certain common graded schools in the State an emergency is hereby declared and this act shall become a law and be effective from and after its passage and approval by the Governor, and all laws or parts of laws in conflict herewith are hereby repealed.

Mr. Hutchcraft offered the following amendment to said bill:

Amend section one by adding at the end thereof the words "but no such tax exceeding thirty-five cents on each one hundred dollars shall be valid as to the excess until it shall have been submitted to the voters of the district in the same manner in which bond issues are submitted, and ratified by a majority of the votes cast."

Mr. Drescher moved that the further consideration of said bill be postponed, and that the same be made a special order of the day for Tuesday next, February 3, at 11:30 o'clock A. M.

Said motion was agreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a resolution of the following title, viz.:

S. Res. 7. Resolution to invite the Hon. David J. Lewis of the National House of Representatives to address a joint session of the House of Representatives and Senate of Kentucky.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Board of Education of Kentucky is hereby empowered to make an order increasing the term of all common schools in the State of Kentucky to seven or eight months, when, in their discretion, the State school fund is sufficient in amount to justify them in doing so, and that when such order is made by the said State Board of Education, it shall be mandatory upon all school officials in the State of Kentucky. No such order shall be made in any school year after the fifteenth day of July and when such order is made the Board shall provide in said order for the

payment of the State school funds in seven or eight equal installments, instead of six equal installments. When such order has been made and properly recorded on the record book of the State Board of Education, a copy of this order shall be certified by the State Board of Education to the State Auditor and the State Treasurer and to each County Superintendent of Schools in this Commonwealth and the Auditor and Treasurer shall honor the warrants of the Superintendent of Public Instruction when drawn in such equal installments as herein provided for, for the payment of teacher's salaries. The Auditor, upon the warrant of the Superintendent of Public Instruction, shall issue his warrant on the Treasurer of the State and the Treasurer shall issue his warrant for such amounts, and the same be charged to the State school fund.

§ 2. The County Board of Education in each county of this Commonwealth under this act is empowered and given authority to make an order extending the term of the common schools in the county for a period of one or more months, not to exceed ten months, in addition to that provided by the State and ordered by the State Board of Education, when, in the judgment of said Board, it becomes desirable. When such order shall have been made and properly recorded as a part of the records of the County Board of Education, in the minute books of said Board, by the Secretary of said Board, the Board shall certify said order to the Fiscal Court of the County and request the Fiscal Court in writing, to make a levy in a sum not exceeding ten cents on each one hundred dollars of taxable property in addition to that which is now provided by law to be levied for school purposes and said sum shall be levied and collected as other school funds are now collected, for the purpose of extending the term and paying salaries of teachers in the common schools for this additional month or months. The sum of money so collected shall be paid over to the treasurer of the County Board of Education and shall be used by said Board

to pay the salaries of teachers for said month or months of the school term. The General School Law governing the salaries and qualifications of teachers shall control in the election and qualifications of teachers under this Act.

§ 3. All laws and parts of laws in conflict with this Act are hereby repealed.

The amendment as proposed by the Committee on Education No. 1 to said bill is as follows:

Amend said act by striking out the word "eight" in line four of section one, and insert in lieu thereof the word "more."

Said amendment was agreed to.

Mr. Mobley offered the following amendment to said bill:

Amend by adding after the word "desirable" in line 7 section 2 the following: "but in no case shall said order be made by either State or County Board of Education, nor shall it be effective when by adding said month or months to school term it causes the salary of the second class teacher, teaching a second class school, to be less than forty-five dollars, nor that of first class teacher teaching a first class school, to be less than fifty-five dollars per month."

Said amendment was agreed to.

Mr. Hall offered the following amendment to said bill:

Amend by inserting in line 7 of section 1 after the word "Kentucky" and before the word "no" the following provision: "provided that in extending the term of the common schools throughout the State from the State School Fund

that the minimum salary of teachers holding a county certificate of the first class or its equivalent, shall be fifty dollars per month, and the minimum salary of teachers holding a county certificate of the second class shall be forty dollars per month.''

Said amendment was disagreed to.

Mr. Coke moved that said bill be recommitted to the committee on Education No. 1, and that they be granted leave to report at any time.

Said motion was agreed to.

Mr. H. J. Meyers moved that the House do now adjourn.

Said motion was agreed to.

THURSDAY, JANUARY 29, 1914.

The House was opened with prayer by the Rev. John J. Gravatt, Jr., of the First Episcopal Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Greene:

H. B. 348. An Act to repeal an act for the protection of game and fish, March 12, 1912.

To Committee on Fish and Game.

By Same:

H. B. 349. An Act to repeal an Act of the General Assembly approved by the Governor of this Commonwealth, March 11, 1912, creating the department of public roads, and establishing the office of Commissioner of Public Roads and prescribing his duties.

To Committee on Public Roads and Highways.

By Mr. Burton:

H. B. 350. An act permitting courts to require witnesses to execute bond for their appearance at the time of trial.

To Committee on Judiciary.

By Mr. Saufley:

H. B. 351. An Act to provide for the sale of the Governor's old Mansion in Frankfort, Kentucky.

To Committee on State Capitol.

By Mr. J. G. Miller, Jr.:

H. B. 352. An Act to abolish what is known as "Loan Sharks" and to regulate and license the business of loaning money on chattel mortgages.

To Committee on Judiciary.

By Mr. Douglas:

H. B. 353. An Act to repeal Chapter 131 of the Acts of 1912 and to re-enact Section 4239 of Kentucky Statutes, 1909 edition.

To Committee on Revenue and Taxation.

By Mr. Lay:

H. B. 354. An Act to regulate the time of holding of the term of the Circuit Court in the Thirty-fourth Judicial District.

To Committee on Circuit Courts.

By Mr. James T. Webb:

H. B. 355. An act amending section 839, subsection 4, article 5, chapter 32 of the Kentucky Statutes, Carroll's edition, 1909, relating to condemnation of land.

To Committee on Judiciary.

By Mr. Coke:

H. B. 356. An act to confiscate and destroy spirituous, vinous and malt liquors in local option territory.

To Committee on Alcoholic Liquor Traffic.

Mr. Huff presented the petition of the members of the congregation of the First M. E. Church of Middlesboro, Bell County, Kentucky, asking the passage of a bill to submit an amendment to the Constitution prohibiting the manufacture, sale and transportation of alcoholic liquors for beverage purposes in this State; also asking the change in the local option law so as it will require twenty-five per cent of

the voters of the county instead of twenty-five per cent of the voters of each precinct on the petition asking for a vote on the local option law; also for the passage of the bills now pending prohibiting picture shows, base ball, foot ball and basket ball on Sundays; also the passage of a bill making bootlegging and pistol carrying a felony, which was received, read, and referred to the Committee on Alcoholic Liquor Traffic.

Mr. McDyer presented a petition of sundry citizens of Lawrence County, asking the repeal of the present law requiring each county to adopt a list of text books, and the enactment of a law that will require a uniform series of text books throughout the State, also opposing any extension of the school term until there are funds sufficient to pay a better monthly salary. Which was received, its reading dispensed with, and referred to Committee on Education No. 2.

Mr. Stone called up for consideration from the Clerk's desk a joint resolution which originated in the Senate, entitled,

S. Res. 6. Resolution appropriating two hundred and twenty-five dollars to pay expenses of committee from Senate and committee from House in making trip to Eddyville to investigate branch penitentiary.

Said resolution is as follows, viz.:

Resolved by the General Assembly of the Commonwealth of Kentucky:

That two hundred and twenty-five dollars be hereby appropriated out of any money in the treasury, not otherwise appropriated, to pay expenses of committee appointed by the Senate and committee appointed by the House to investigate the branch penitentiary at Eddyville and when said

committees have made said investigation, the chairman of each committee will certify an itemized account of expenses to the Auditor and he will draw his warrant therefor, not exceeding the above sum.

Said resolution was disagreed to.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

Joseph Boitnott	E. V. Hall	John G. Miller, Jr.
John C. Duffy	Elwood Hamilton	Ed. D. Stone
Ed Frost	Dr. S. L. Henry	—8

Those who voted in the negative were—

Harry Avery	H. H. Hays	Lilburn Phelps
James W. Barrall	W. E. Henninger	John A. Polin
H. C. Blades	D. H. Hillman	J. D. Pumphrey
Elmer L. Brown	R. B. Hutchcraft Jr.	Dr. W. R. Ray
C. W. Burton	J. M. Johnson	B. T. Rountree
Glover H. Cary	T. R. Jones	S. M. Saufley
Ed. F. Cecil	Griffin Kelly	A. W. Sharp
J. G. Coke, Jr.	John H. Kleete	L. M. Smith
Benjamin L. Cox	William J. Kuh	Adam Spahn
George T. Davis	J. C. Lay	W. T. Stott
John W. Douglas	Simon B. Lott	Louis Tieman
H. C. Duffy	C. R. Luker	N. C. Tilford
William Duffy	Dr. J. N. M'Cormack	M. S. Walton, Jr.
Odie Duncan	Geo. M. McDowell	James T. Webb
G. P. Durrett	John McDyer	W. M. Webb
M. J. Farris, Jr.	T. T. Mobley	John F. White
Vert C. Fraser	J. R. Mount	N. B. White
Frank C. Greene	Harry J. Myers	J. D. Wills
C. M. Gum	Zach. L. Myers	M. O. Wilson
W. L. Hampton	John E. Newman	Roy S. Wilson
H. H. Harrington	C. B. Nichols	
J. B. Harvey	S. Mazyck O'Brien	—64

Mr. Lott offered the following resolution, viz.:

Whereas, on account of the congested condition of numerous creeks and outlets for swamp lands in this State, brought about by the wash from the hills settling in same, rendering thousands of acres of the best land of the State unprofitable, and

Whereas, several large projects have been undertaken to reclaim a large part of this land by straightening, widening and deepening the channel of creek and drains to swamp land, which, if carried to completion under the present drainage law of this State, will have the effect of confiscating the homes of numerous land owners along these creeks and swamps, and if this is done, and the land is sold to pay the bond issue made for the purpose of straightening and improving the creeks and swamp drains, it will as a matter of course be brought up by men who have money to invest for speculative purposes, thereby lessening the number of home owners, and increasing the number of tenants, which system of farming we regard as being the greatest curse, not only to the farming industry of Kentucky, but of the whole Nation, and

Whereas, the finances of the State do not warrant us in granting an appropriation to assist in this very worthy effort to reclaim this land, and thereby add to the revenues of the State and Nation.

And since the National Government is annually spending millions of dollars to reclaim arid lands of the far West, to which people have to move thousands of miles in order to be benefited by it,

And that it is the sentiment of this body that it would be more worthy of the National Government to help in bettering conditions where the people already live; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That this General Assembly ask Kentucky's Representatives in the National Congress to work for a National appropriation to assist the various States to reclaim their lands that have become unprofitable for reasons hereinbefore set out.

Ordered that said resolution, under the rules, lie over one day.

A message was received from the Governor in writing as follows:

EXECUTIVE DEPARTMENT.

Frankfort, Kentucky, January 29, 1914.

To the House of Representatives
of Kentucky:

According to the Constitution, the powers of the Government of the Commonwealth of Kentucky are divided into three co-ordinate departments—the Legislative, the Executive and the Judicial.

The Legislative Department adopted a joint resolution, which originated in the House of Representatives and which was delivered to me on the sixteenth day of January, 1914. It provides for a greater number of stenographers, doorkeepers, clerks, etc., for the Senate and House of Representatives than are authorized by the Constitution of Kentucky. It is declared in the resolution that "since the occupation of the New Capitol, it has become necessary to employ more persons in order that the Senate and House of Representatives may be conducted in a proper manned and expeditiously and that the business can not be efficiently performed by and with the assistance alone of the number of officers and employes provided for in section 249 of the Constitution."

It is fair for me to assume that the Senators and Representatives know how many officers or subordinates are needed. I am unwilling to delay the business of the Senate or House of Representatives during a session which lasts only sixty days, and, therefore, I shall not undertake to deprive members of the General Assembly of the assistance which they declare is needed.

In addition to this, I may say that, on examination, I find that joint resolutions, authorizing an increase of the number of stenographers, door-keepers, clerks, etc., beyond what is prescribed by the Constitution of Kentucky have been repeatedly adopted since the Constitution went into effect, and especially since the occupation of the new Capitol.

As the joint resolution appears to be not in accord with the Constitution of Kentucky, I withhold my signature and allow it to become effective by taking no action on it for ten days.

JAMES B. MCCREARY,
Governor.

Which was read, ordered spread upon the Journal, and ordered to be filed.

A message was received from the Senate announcing that they had received official information that the Governor has approved and signed a joint resolution which originated in the Senate, entitled,

S. Res. 4. Resolution to appoint Committee to draft suitable resolutions upon the death of General Simon Bolivar Buckner.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Roy S. Wilson, of the Committee on Insurance, Fire and Marine:

H. B. 133. An act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in Kentucky and not incorporated under the laws of said State, but licensed to write such insurance therein through legally licensed agents, to write or cause to be written such insurance against loss or damage to property therein, except, the same be written by legally licensed agents of said companies under the laws of said State and residing therein, prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in companies not legally licensed to write such insurance in said State; fixing the venue of prosecution for the violation of certain sections hereof, and providing certain penalties.

By Mr. James T. Webb, of the Committee on Judiciary:

H. B. 58. An act to amend section eleven of an act relating to husband and wife, and entitled, "Husband and Wife" approved May 16th, 1893, Kentucky Statutes, section 2106.

By Same:

H. B. 94. An act to regulate lobbyists and lobbying.

With an amendment thereto by way of substitute therefor.

By Same:

H. B. 144. An act to prevent the sending, exhibiting, posting or circulating letters, circulars or posters, written or printed in pamphlet form or otherwise, false accusations against another person and prescribing the penalty therefor.

By Mr. Barrall, of the Committee on Printing:

H. B. 159. An act to amend and re-enact sections 3957 and 3958, chapter 105 Kentucky Statutes, Carroll's edition 1909, relating to Public Printing and Binding and Stationery being an act of June 20, 1893.

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 4. An Act to amend an act entitled, "An Act to create the thirty-fourth Judicial District of Kentucky, and to change the twenty-sixth and twenty-seventh circuit court Judicial Districts, and to provide for the holding of courts in the said Twenty-sixth, Twenty-seventh and Thirty-fourth Judicial Districts, and to provide for Judges and Commonwealth Attorneys," which act was approved March 16, 1910.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

H. B. 165. An Act to provide for the registration of names for farms and to prevent the use of such names when registered.

H. B. 17. An Act to promote the live stock interests in the State of Kentucky.

H. B. 164. An act to amend section 67 and subsections 3 and 4 of section 68a, article 3, Carroll's edition, Kentucky Statutes, 1909.

H. B. 206. An act prohibiting the shipment of liquors for sale in local option territory and prohibiting persons from having in possession for sale liquors in such territory.

H. B. 222. An Act to repeal Chapter 97, session acts of 1912, entitled, An Act to amend an act entitled "Crimes and Punishments."

H. B. 86. An Act to provide for the search of premises in local option territory where intoxicating liquors are sold, or suspected of being sold, for the seizure of such intoxicating liquors, for the arrest of the person or persons in charge of such premises or intoxicating liquors and for the purpose of declaring such intoxicating liquors contraband and direct their confiscation and destruction.

H. B. 1. An Act entitled an act to amend section 1 of an act entitled, An Act requiring fiscal courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings and prescribing penalties for failure to perform such duties, approved March 21, 1910.

H. B. 224. An Act authorizing counties of this State to own and operate ferries.

H. B. 72. An Act to amend subsection two of section 3490, chapter 89, Kentucky Statutes.

H. B. 161. An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges.

H. B. 27. An Act creating a State Text Book Commission to adopt for use in the common schools of Kentucky a uniform series of text books, regulating the price thereof, defining the powers and duties of said Commission and the method of selection of such text books and their distribution, prescribing penalties for the violation of this act, and repeal-

ing chapter 13, of the acts of the General Assembly of Kentucky, approved March 15, 1910.

With an amendment thereto by way of substitute therefor.

H. B. 175. An Act for the protection of game and fish, providing for nonresident fishing and trapping license and repealing certain sections thereof Carroll's 1909 edition of the Kentucky Statutes, approved March 22, 1910.

With an amendment thereto.

H. B. 174. An Act amending an act entitled "An Act for the protection of game and fish," approved March 12, 1912.

With amendments thereto.

H. B. 150. An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial thereof, and providing what shall be a defense.

H. B. 134. An Act to punish the making or use of false statements to obtain property or credit, and making certain offenders personally liable.

With amendment thereto.

H. B. 198. An Act permitting any sheriff to take a replevin bond in satisfaction of a capias pro fine.

H. B. 265. An Act to amend subsection 2 of section 8 of an act of the Commonwealth of Kentucky, entitled, An Act relating to husband and wife and entitled husband and wife,

approved May 16, 1893, being chapter 205 session acts of the Legislature of Kentucky, 1893, and also being subsection 2 of section 2103 Kentucky Statutes, 1909, John D. Carroll's edition.

H. B. 57. An Act relating to the drainage of lands, the duties of the owners thereof through which ditches, drains, creeks or non-navigable streams pass, prescribing the method of procedure, the assessment and collection of the cost and expense thereof and prescribing the duties of officers relative thereto.

With an amendment thereto.

H. B. 208. An Act to reduce the compensation of the members of the General Assembly of Kentucky.

Without expression of opinion.

Ordered that said bills be severally read the second time.

The provision of the Constitution as to the reading of said bills at length being dispensed with, they were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

Mr. Ray moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 59. An Act to establish a Board of Examiners for trained nurses and to regulate the practice of professional trained nurses in the State of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That within thirty days from the time this Act becomes effective, the Governor of the State shall appoint a board to be known as "State Board of Examiners of Trained Nurses." Said board shall be composed of five members who shall be elected from a list of ten names proposed in writing by the Kentucky State Association of Graduate Nurses. At the time of appointment, the members of said board must be actual residents of this State and engaged in the work of trained nurses. They shall have been graduated for a period of at least five years prior to their appointment from a reputable training school for nurses, and with the exception of those appointed as the first members of said board, shall have been registered under the provisions of this act. The members of said board shall hold their respective positions for four years and until their successors are appointed and qualified. Upon the expiration of their terms of office, the Governor shall appoint a new board of like number and qualification, but in making such appointments, he shall re-appoint at least two of the members first appointed by him, such appointments to be made upon similar recommendations. The Governor shall have a right to remove any member of said board for a continued neglect of duty, and he shall have a right to fill all vacancies occurring in said board from time to time in the same manner as original appointments are provided for herein.

§ 2. Said board of examiners shall immediately after their appointment or as soon as practicable thereafter, meet

in the city of Frankfort and organize by the election of one of their number as president, who shall also be and act as inspector of training schools for nurses in this State, and a secretary who shall also act as treasurer.

Three members shall constitute a quorum for the transaction of business, and said board shall have the right to enact such by-laws as may be necessary for their government not in conflict with the laws of this State.

§ 3. Said board shall adopt a seal and the secretary shall keep a record of all the proceedings of said board, including a register of the names of all nurses and training schools for nurses registered under this act. Said register shall at all reasonable times be open to public inspection, and said inspector shall inspect all training schools for nurses existing in the State of Kentucky, and shall register such schools as fulfill the requirements of this act. Said board shall cause the prosecution of all persons violating the provisions of this act, and may incur all necessary expenses in so doing.

§ 4. The salary of the secretary shall be fixed by the board and shall not be less than $100 nor more than $500 per annum. The other members of the board shall receive $5 per day for each day actually engaged in attendance upon the meetings of said board and the expenses incurred in going to and coming from the place of meeting, and for inspection of training schools for nurses, and all legitimate and necessary expenses incurred in attending such meetings. All expenses of the board including all salaries and compensation shall be paid from the fees received by said board. A report of all receipts and expenditures shall be made to the Governor on or about December 15th of each year after the passage of this act. All moneys and receipts of such board shall be kept in a special fund by and for the use of said board exclusively.

§ 5. It shall be the duty of the board to meet for the purpose of holding examinations not less than once in each

year at such time and place as they may determine, and the board may adopt rules for its government and examination of applicants for registration in accordance with the provisions of this act. Notice of the meetings of said board shall be published in two newspapers of general circulation, and in at least one journal devoted to the interests of professional nursing, and after applications are received, notice by mail to every applicant and to every reputable training school in this State at least thirty days prior to the meeting. At such meeting it shall be the duty of said board to examine all applicants for registration under the provisions of this act, as are required to be examined, and to issue to each duly qualified applicant who shall have complied with the provisions of this act and pass such examination, a certificate of registration. Any person to whom a certificate of registration shall be issued shall within thirty days thereafter cause the same to be recorded with the county clerk of the county in which such person resides at the time of application, and such person shall be prepared, whenever requested to exhibit such certificate or a certified copy thereof. Registered nurses changing residence in this State must present certificate of registration to the county clerk of the county of their new residence within thirty days of the time of establishing such new residence. All applicants for registration shall furnish satisfactory evidence that he or she is at least twenty-one years of age, of good moral character and has been graduated from a school for nurses connected with a special hospital, or infirmary, or general hospital approved by said board, where a systematic course of at least two years' instruction is given, except in the cases hereinafter provided for, and all persons registered under the provisions of this act shall pay to the treasurer of said board a registration fee of $10, which shall accompany the application.

§ 6. Before any person, except those herein specifically excepted, shall be given a certificate of registration, such person shall be required to undergo an examination of said board

touching his or her qualifications as a trained nurse, and shall pass the same to the satisfaction of the majority of said board. The examination to be given such applicants by said board shall be of such a character as to determine the fitness of the applicant to practice professional nursing, and shall include the following subjects, namely: Practical nursing, surgical nursing, obsterical nursing, hygiene, contagion, diet cooking, materia medica, anatomy, psysiology, gynecology and all other matters deemed necessary and proper by said board to be inquired of, to establish the fitness and qualification of the applicant.

§ 7. All graduate nurses, who are honorably engaged in nursing at the time of the passage of this act and have been residents of the State of Kentucky for six months prior thereto, and who shall show to the satisfaction of the board that he or she is of good moral character and was graduated from training school connected with a special hospital or infirmary or a general hospital of good reputation as such school, and who in other respects meets the requirements of this act, shall be entitled to be registered and given a certificate of registration without examination, provided the written application to be so registered shall be filed by such persons with the secretary of the board on or before August 1, 1914, and all persons who have in good faith been honorably engaged in the practice of trained nursing under a diploma received by them prior to the year 1893, after one year's training in a reputable school, shall in like manner be entitled to a certificate of registration without examination upon the payment of the registration fee of $10.

All nurses, in training at the time of the passage of the act in a reputable training school supplying a systematic training, corresponding to the above standard, provided they graduate therefrom, shall, upon receiving a diploma from said school, be entitled in like manner to register without examination.

§ 8. Applicants shall be registered and given a certificate of registration who shall present a certificate of registration from another State, territory or foreign country, where the requirements for registration shall be deemed by said board to be equivalent to those provided for in this act, such applicants paying the fee of $10 for such certificate.

§ 9. It shall be unlawful for any person to practice nursing as a trained nurse without having obtained certificate of registration as herein provided.

§ 10. The said board of examiners may refuse to issue a certificate of registration provided for in this act for any of the following causes:

1. Presentation to the board of any license, certificate or diploma which was illegally or fraudulently obtained, or the practice of fraud or deception in passing examination.

2. The commission of a crime or misdemeanor though he or she may never have been convicted of such offense.

3. Chronic or persistent inebriety or addiction to a drug habit, which disqualifies the applicant to practice with safety to the public.

4. Any act of dishonesty, gross incompetency or any act derogative to the standing or morals of the nursing profession, or any other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public, and said board may revoke a certificate for any of the causes for which it may refuse to grant a certificate under the provisions of this act.

§ 11. In all proceedings for suspension or revocation under this act, the holder of a certificate shall be furnished with a copy of the charges and shall be given at least thirty days to prepare a defense. He or she shall be heard by said board in person or by counsel or both, as he or she may select, and at such hearings, and in all matters arising in the course of their duties, the president and secretary shall have authority to administer the oath, and in such hearing the board

may take oral or written proof for and against the complainant as it may deem will best preserve the facts.

In case of refusal, suspension or revocation, the applicant or holder may appeal to the Kentucky State Association of Graduate Nurses at the first annual meeting thereafter, whose decision by a majority vote upon such appeal shall be final.

§ 12. This act shall not be construed to interfere in any way with religious institutions which have charge of hospitals, and as such take care of sick in their home or institution, and this act shall not be construed to affect or apply to gratuitous nursing of the sick by a friend or member of the family or to a person nursing the sick who does not in any way assume to be a trained graduate or registered nurse, or hold herself or himself out as discharging the duties of a trained nurse.

§ 13. Any person who has received a certificate according to the provisions of this act shall be styled and known as a registered nurse, and shall be entitled to append the letters "R. N." to his or her name, and no person shall assume or knowingly permit any other person to use such abbreviation "R. N." or any other words or figures after his or her name, or after the name of any other person for the purpose of indicating that such person is a registered nurse, unless registered as required by this act.

§ 14. Any person who shall practice as a trained nurse, or in any way represent himself or herself as a trained or registered nurse in this State without holding a certificate of registration as herein provided, or who shall violate any of the provisions of this act, shall be subject to a fine of not less than $5 nor more than $15, and each day such person shall practice or violate any provision of this act shall be deemed a separate offense.

§ 15. Any person who shall wilfully make any false representations to such board in applying for a certificate of

registration shall be guilty of a misdemeanor and upon conviction be fined not more than $500.

§ 16. All certificates of registration issued by said board shall be signed by the president and secretary of said board, and have the seal affixed.

§ 17. Every person receiving a certificate from said board shall cause the same to be recorded in the office of the county clerk of the county in which such person resides, and shall pay to the clerk the sum of fifty cents for recording the same.

Mr. Duffy offered the following amendment to said bill, viz.:

Amend by striking out subsection 2 of section 10, and inserting in lieu thereof the words "where a person has been convicted of a crime or misdemeanor where such person has been convicted of such offense."

Said amendment was agreed to.

Mr. Perry offered the following amendment to said bill, viz.:

Amend section 5 by adding at the end thereof the following words "and shall annually thereafter pay to said Treasurer a renewal fee of one dollar, all of which shall be covered into the State Treasury."

Said amendment was agreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. Res. 11. Resolution inviting Hon. David J. Lewis to address the General Assembly on February 2, 1914.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Perry offered the following amendment to said bill, viz.:

That section 4 line 9 thereof be amended by adding after the word "Board" the words "by the State Treasurer upon monthly itemized statements of salaries and expenses submitted to the State Auditor out of said fund exclusively."

And in line 13 by adding after the word "exclusively" the words "by the Treasurer of the Commonwealth of Kentucky."

Said amendment was agreed to.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend section 12 by inserting in line 4 of said section after the word "sick" the words "either gratuitously or for compensation."

Said amendment was agreed to.

Mr. Phelps offered the following amendment to said bill, viz.:

Amending section 12 by adding in line 7 after the word "trained" the words "graduate or registered."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill the third time at length being dispensed with, and the same being engrossed, said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	John W. Douglas	W. E. Henninger
Harry Avery	John Drescher	Dr. S. L. Henry
Wallace Bailey	H. C. Duffy	D. H. Hillman
James W. Barrall	John C. Duffy	J. J. Huff
Geo. B. Barrett	William Duffy	R.B.HutchcraftJr.
J. M. Billeter	G. P. Durrett	J. M. Johnson
Henry C. Blades	Thomas J. Evans	T. R. Jones
Joseph Boitnott	Vert C. Fraser	Griffin Kelly
Elmer L. Brown	Frank C. Greene	John H. Klette
C. W. Burton	C. M. Gum	William J. Kuh
Glover H. Cary	E. V. Hall	J. C. Lay
Ed. F. Cecil	Elwood Hamilton	Simon B. Lott
J. G. Coke, Jr.	H. H. Harrington	C. R. Luker
Benjamin L. Cox	J. B. Harvey	Dr.J.N.M'Cormack
George T. Davis	H. H. Hays	Geo. M. McDowell

John McDyer	John A. Polin	W. T. Stott
W. T. McNally	J. D. Pumphrey	Louis Tieman
John G. Miller, Jr.	Richard Radcliffe	N. C. Tilford
J. R. Mount	Dr. W. R. Ray	M. S. Walton, Jr.
Harry J. Myers	W. E. Rogers	James T. Webb
Zach. L. Myers	S. M. Saufley	W. M. Webb
John E. Newman	A. W. Sharp	John F. White
C. B. Nichols	W. A. Shawler	N. B. White
S. Mazyck O'Brien	L. M. Smith	M. O. Wilson
A. W. Palmer	Adam Spahn	Roy S. Wilson
William A. Perry	Ed. D. Stone	

—77

Those who voted in the negative were—

Odie Duncan	T. T. Mobley	J. D. Wills

—3

The House took up for consideration from the orders of the day a bill entitled,

H. B. 15. An act to regulate the holding of circuit courts in the twenty-sixth judicial district of Kentucky.

Mr. Huff moved that said bill be recommitted to the committee on Circuit Courts and that they be granted leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 90. An Act fixing the times for holding circuit courts in the thirty-fourth judicial district.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Circuit Courts in the Thirty-fourth Judicial District and the several counties composing the same shall be held at the following times and places, and for the time hereinafter set out.

McCreary county at Whitley, First Monday in January and continue twelve juridical days; Second Monday in April and continue twelve juridical days; Fourth Monday in August and continue twelve juridical days; First Monday in November and continue twelve juridical days.

Knox County at Barbourville, Third Monday in January and continue thirty juridical days; Fourth Monday in April and continue Twenty-four juridical days; Second Monday in September and continue Eighteen juridical days; Third Monday in November and continue Twelve juridical days.

Whitley County at Williamsburg, Fourth Monday in February and continue Thirty-six juridical days; Fourth Monday in May and continue Thirty juridical days; First Monday in October and continue Twenty-four juridical days First Monday in December and continue Twenty-four juridical days.

§ 2. All acts in conflict herewith are hereby repealed.

§ 3. Inasmuch as the courts of said district are in confusion by reason of the creation of McCreary County by act of the Legislature, 1912, and no sufficient provision having been made for the holding of courts in said county, an emergency is hereby declared to exist, and this act shall take effect and be in force from its passage.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title.

The question being taken on the passage of said bill, it was decided in the negative.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Joseph Boitnott	John Drescher	Simon B. Lott
C. W. Burton	John C. Duffy	T. T. Mobley
J. G. Coke, Jr.	H. H. Hays	—8

Those who voted in the negative were—

Peter Ampler	D. H. Hillman	J. D. Pumphrey
James W. Barrall	J. J. Huff	Richard Radcliffe
Geo. B. Barrett	R.B.Hutchcraft Jr.	Dr. W. R. Ray
H. C. Blades	J. M. Johnson	W. E. Rogers
Elmer L. Brown	T. R. Jones	B. T. Rountree
Glover H. Cary	Griffin Kelly	S. M. Saufley
Ed. F. Cecil	John H. Klette	W. A. Shawler
Benjamin L. Cox	J. C. Lay	L. M. Smith
John W. Douglas	C. R. Luker	Adam Spahn
H. C. Duffy	Dr.J.N.M'Cormack	Ed. D. Stone
William Duffy	John McDyer	W. T. Stott
Odie Duncan	W. T. McNally	Louis Tieman
G. P. Durrett	John G. Miller, Jr.	M. S. Walton, Jr.
Thomas J. Evans	J. R. Mount	James T. Webb
Vert C. Fraser	John E. Newman	W. M. Webb
Ed Frost	C. B. Nichols	John F. White
C. M. Gum	S. Mazyck O'Brien	N. B. White
E. V. Hall	A. W. Palmer	J. D. Wills
W. L. Hampton	Lilburn Phelps	M. O. Wilson
H. H. Harrington	William A. Perry	Roy S. Wilson
J. B. Harvey	John A. Polin	
Dr. S. L. Henry	W. A. Price	—64

The House took up for consideration from the orders of the day a bill entitled,

H. B. 115. An Act to repeal and re-enact chapter 74 of the Acts of 1912, entitled, "An Act relating to Fiscal Courts."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 74, Acts of 1912, entitled, an Act relating to Fiscal Courts, be repealed, and the following be enacted in lieu thereof:

That all claims allowed by any fiscal court of any county of this Commonwealth, whose financial condition will not permit the immediate payment of same, shall bear interest at the rate of 6 per cent per annum on the face of said claim until paid. Provided, that the date from which such interest shall be computed shall be the first day of the month following the date on which any claim may be allowed by such fiscal court.

Mr. Hall offered the following amendment to said bill:

Amend by inserting after the word "paid" in line 6 the following: "or until called in for payment."

Said amendment was agreed to.

Mr. Fraser offered the following amendment to said bill:

Amend by adding after the words "fiscal court" in line 9 the words "provided that said warrants shall not draw

interest unless thay have been presented for payment and such payment refused on account of lack of funds."

Said amendment was disagreed to.

Mr. Cary offered the following amendment to said bill.

Amend by striking out the words "on the face of said claim" in the sixth line thereof.

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	John W. Douglas	Dr. S. L. Henry
Harry Avery	John Drescher	J. J. Huff
James W. Barrall	William Duffy	J. M. Johnson
Geo. B. Barrett	G. P. Durrett	T. R. Jones
H. C. Blades	Thomas J. Evans	John H. Klette
Elmer L. Brown	Ed Frost	William J. Kuh
C. W. Burton	E. V. Hall	Simon B. Lott
Glover H. Cary	Elwood Hamilton	Dr.J.N.M'Cormack
Ed. F. Cecil	W. L. Hampton	John McDyer
J. G. Coke, Jr.	J. B. Harvey	T. T. Mobley
Benjamin L. Cox	H. H. Hays	J. R. Mount

John E. Newman	W. E. Rogers	James T. Webb
C. B. Nichols	S. M. Saufley	W. M. Webb
S. Mazyck O'Brien	A. W. Sharp	N. B. White
A. W. Palmer	L. M. Smith	J. D. Wills
William A. Perry	Adam Spahn	M. O. Wilson
J. D. Pumphrey	Ed. D. Stone	Roy S. Wilson
Richard Radcliffe	W. T. Stott	
Dr. W. R. Ray	M. S. Walton, Jr.	—55

Those who voted in the negative were—

Joseph Boitnott	Frank C. Greene	C. R. Luker
H. C. Duffy	H. H. Harrington	Geo. M. McDowell
John C. Duffy	D. H. Hillman	John G. Miller, Jr.
Odie Duncan	R. B. Hutchcraft Jr.	Zach. L. Myers
Vert C. Fraser	Griffin Kelly	W. A. Shawler
		—15

Resolved that the title thereof be as aforesaid.

The House then took up for consideration from the orders of the day a bill entitled,

H. B. 88. An Act to amend and re-enact section 1051 of chapter 35, article three, Kentucky Statutes, 1909, compiled by John D. Carroll entitled, "Quarterly Courts."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1051, of Chapter 35, John D. Carroll's 1909 edition of the Kentucky Statutes, be and the same is hereby amended by striking therefrom of said section the following word, "two" in the seventh line thereof, and by inserting the following word in lieu thereof, "four," so that said section as amended shall read as follows: "The Quar-

terly Court in civil cases shall have jurisdicton concurrent with justices and city or police courts of all actions within its county for the recovery of money or personal property, where the value in controversy is one hundred dollars or under, exclusive of interest and costs, and concurrent jurisdiction with Circuit Courts of all such actions where the value in controversy is over fifty dollars and not more than four hundred dollars exclusive of interest and costs."

Mr. Perry offered the following amendment to said bill:

Add at the end "the provisions of this act shall not apply to counties containing a population over two hundred thousand people."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill beng dispensed with, the said bill was read the third time by its title.

The question being taken on the passage of said bill, it was decided in the negative.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	E. V. Hall	John McDyer
Frank C. Greene	R.B.HutchcraftJr.	W. M. Webb

—6

Those who voted in the negative were—

Peter Ampler	J. B. Harvey	William A. Perry
James W. Barrall	H. H. Hays	John A. Polin
Geo. B. Barrett	Dr. S. L. Henry	J. D. Pumphrey
H. C. Blades	D. H. Hillman	Richard Radcliffe
Joseph Boitnott	J. M. Johnson	Dr. W. R. Ray
Elmer L. Brown	T. R. Jones	W. E. Rogers
C. W. Burton	Griffin Kelly	S. M. Saufley
Glover H. Cary	John H. Klette	A. W. Sharp
Ed. F. Cecil	William J. Kuh	W. A. Shawler
J. G. Coke, Jr.	Simon B. Lott	L. M. Smith
Benjamin L. Cox	Dr.J.N.M'Cormack	Adam Spahn
John W. Douglas	Geo. M. McDowell	Ed. D. Stone
John Drescher	W. T. McNally	Louis Tieman
H. C. Duffy	John G. Miller, Jr.	N. C. Tilford
John C. Duffy	T. T. Mobley	M. S. Walton, Jr.
William Duffy	J. R. Mount	James T. Webb
Odie Duncan	Zach. L. Myers	John F. White
G. P. Durrett	John E. Newman	N. B. White
Thomas J. Evans	C. B. Nichols	J. D. Wills
Vert C. Fraser	S. Mazyck O'Brien	Roy S. Wilson
W. L. Hampton	A. W. Palmer	
H. H. Harrington	Lilburn Phelps	—64

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 129. An Act to amend chapter 196 of the Acts of the General Assembly of 1912, entitled, "An Act to provide for the enforced attendance of children in the common scholos and graded common schools of this Commonwealth "and to provide for the appointment of a truant officer for graded common schools.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 96, entitled, "An Act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth," of the Acts of the General Assembly of Kentucky of 1912, be amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

That parent, guardian or other person residing within the boundary of the county school district law, and of all graded and special charter schools, and having the custody, control or supervision of any child or children between the ages of seven and twelve years, inclusive, shall cause such child or children to be enrolled in and to attend some public or private day or parochial school regularly for the full common school or graded common school term in each year in the common school district of the county in which such child or children may live in this Commonwealth. Provided, however, that this act shall not apply in any case where the child has been or is being taught at home in such branches as are taught in the public schools for a like period of time and subject to the same examination as other pupils in the district in which such child resides; and for the purpose of ascertaining whether or not any child is embraced within this exemption the County Court may order such child to submit to an examination to be given by the county superintendent of schools. Provided, further, that this section shall not apply to any child who is excused by the County Board of Education, upon its being shown to the satisfaction of the county superintendent of schools that such child is not in proper physical or mental condition to attend school.

The Board of Education of all graded schools and special charter schools shall have authority to appoint a truant officer and to fix his salary. Said truant officer shall have authority to swear to warrants for violations of the provisions of this Act, and to do and perform all other

powers given to the county superintendent of schools and the county board of education under this Act.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Hall offered the following amendment to said bill:

Amend by inserting in line 1 of section 1 after the word "that" and before the word "chapter" the words "section 1 of."

Said amendment was agreed to.

Mr. Lay offered the following amendment to said bill:

In section 1, line 9 strike out "twelve" and insert in lieu thereof "fourteen."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed wth

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. C. Blades	Glover H. Cary
Harry Avery	Joseph Boitnott	Ed. F. Cecil
Wallace Bailey	Elmer L. Brown	J. G. Coke, Jr.
J. M. Billeter	C. W. Burton	Benjamin L. Cox

George T. Davis	Dr. S. L. Henry	W. A. Price
John W. Douglas	J. J. Huff	W. E. Rogers
John Drescher	R.B.Hutchcraft Jr.	B. T. Rountree
John C. Duffy	T. R. Jones	S. M. Saufley
William Duffy	Griffin Kelly	A. W. Sharp
Odie Duncan	John H. Klette	W. A. Shawler
G. P. Durrett	J. C. Lay	L. M. Smith
Thomas J. Evans	Simon B. Lott	Adam Spahn
M. J. Farris, Jr.	Dr.J.N.M'Cormack	Ed. D. Stone
Vert C. Fraser	John McDyer	Louis Tieman
Ed Frost	John G. Miller, Jr.	N. C. Tilford
Frank C. Greene	T. T. Mobley	M. S. Walton, Jr.
C. M. Gum	Harry J. Myers	James T. Webb
E. V. Hall	Zach. L. Myers	W. M. Webb
H. H. Harrington	C. B. Nichols	N. B. White
J. B. Harvey	S. Mazyck O'Brien	M. O. Wilson
H. H. Hays	Lilburn Phelps	Roy S. Wilson
W. E. Henninger	William A. Perry	—65

Those who voted in the negative were—

H. C. Duffy	A. W. Palmer	Dr. W. R. Ray
D. H. Hillman	J. D. Pumphrey	W. T. Stott
C. R. Luker	Richard Radcliffe	J. D. Wills

—9

Resolved, That the title thereof be as aforesaid.

Mr. Hall moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 154. An Act to provide a stenographer for the County Judge in counties having a population of two hundred thousand or over.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties in this Commonwealth having a population of two hundred thousand or over, there is hereby created the office of stenographer to the County Judge; said stenographer shall be appointed by the County Judge for a term of four years, but may be removed at any time by said County Judge.

§ 2. It shall be the duty of said stenographer to do stenographic work and typewriting for said County Judge, and said stenographer shall perform such other duties as may be assigned to him by said County Judge.

§ 3. Said stenographer shall by virtue of his office have the same power of administering an oath as a Notary Public.

§ 4. The salary of said stenographer shall be fixed by the County Judge, not to exceed $900.00 per annum, payable out of the county levy in equal monthly installments.

§ 5. In as much as the need for this officer is urgent an emergency is hereby declared, and this act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its ttle and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	A. W. Palmer
Harry Avery	J. B. Harvey	Lilburn Phelps
James W. Barrall	H. H. Hays	William A. Perry
Geo. B. Barrett	Dr. S. L. Henry	John A. Polin
H. C. Blades	D. H. Hillman	J. D. Pumphrey
Joseph Boitnott	J. J. Huff	Richard Radcliffe
Elmer L. Brown	R.B.HutchcraftJr.	Dr. W. R. Ray
C. W. Burton	J. M. Johnson	W. E. Rogers
Glover H. Cary	T. R. Jones	B. T. Rountree
Ed. F. Cecil	Griffin Kelly	A. W. Sharp
J. G. Coke, Jr.	John H. Klette	W. A. Shawler
Benjamin L. Cox	William J. Kuh	L. M. Smith
George T. Davis	J. C. Lay	Adam Spahn
John W. Douglas	Simon B. Lott	Ed. D. Stone
John Drescher	C. R. Luker	W. T. Stott
H. C. Duffy	Geo. M. McDowell	M. S. Walton, Jr.
John C. Duffy	W. T. McNally	James T. Webb
William Duffy	T. T. Mobley	N. B. White
Thomas J. Evans	J. R. Mount	M. O. Wilson
Vert C. Fraser	Harry J. Myers	Roy S. Wilson
Ed Frost	John E. Newman	
E. V. Hall	C. B. Nichols	
Elwood Hamilton	S. Mazyck O'Brien	—66

Resolved, That the title thereof be as aforesaid.

Mr. Barrett moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 136. An Act to amend Section 4131, Article 8, Chapter 108 of Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4131, Article 8, Chapter 108, of the Kentucky Statutes be, and the same is hereby amended by adding to the seventh line thereof, after the word "sheriff," the words, "if one can be found to collect all these taxes," and by striking from said line in said section the words "a separate collector" and inserting in lieu thereof the words "separate collectors" and by striking from the fourteenth line of said section the words "another collector" and inserting therein the words "other collectors," and by inserting after the word "collector" and before the word "May" in the fifteenth line thereof the words "or collectors" and by adding after the word "and" in the sixteenth line thereof the words "be authorized to," and by inserting the words "or them," after the word "him," in the last line of said section.

Said section so amended shall read as follows:

4133 (3) Failure to execute bond forfeits office—Appointment of sheriff or collector.—On the failure of the sheriff or collector to execute bond and qualify as hereinbefore provided he shall forfeit his office, and the County Court may appoint a sheriff or collector to fill the vacancy, until a sheriff or collector is elected, or it may appoint a collector for the county of all moneys due the State, County or Taxing District authorized to be collected by the sheriff, if any one can be found to collect all these taxes or it may appoint separate collectors of all the moneys due the State, County or any Taxing District thereof, during the vacancy in the office of sheriff; and in the event the County Court fails for thirty days to appoint a collector of money due the State, the Auditor of Public Accounts may appoint a collector thereof. Such collectors shall, within ten days after their appointment, execute bond as required of the sheriff,

to be approved by the county court, and if the bond be not executed within said time the appointment of another collector or collectors may in like manner be made and qualified, but such collector or collectors shall only be required to give bond for and be authorized to collect such taxes or moneys as may be mentioned or provided for in the order of the County Court appointing him or them.

Mr. Radcliffe moved that said bill be recommitted to the Committee on County and City Courts.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	John Drescher	E. V. Hall
James W. Barrall	H. C. Duffy	Elwood Hamilton
H. C. Blades	John C. Duffy	W. L. Hampton
Joseph Boitnott	William Duffy	H. H. Harrington
Elmer L. Brown	Odie Duncan	J. B. Harvey
Glover H. Cary	G. P. Durrett	H. H. Hays
Ed. F. Cecil	Thomas J. Evans	W. E. Henninger
J. G. Coke, Jr.	Vert C. Fraser	Dr. S. L. Henry
Benjamin L. Cox	Ed Frost	D. H. Hillman
George T. Davis	Frank C. Greene	J. J. Huff
John W. Douglas	C. M. Gum	R. B. Hutchcraft Jr.

J. M. Johnson	Harry J. Myers	L. M. Smith
T. R. Jones	Zach. L. Myers	Adam Spahn
Griffin Kelly	John E. Newman	Ed. D. Stone
John H. Klette	C. B. Nichols	W. T. Stott
William J. Kuh	S. Mazyck O'Brien	Louis Tieman
J. C. Lay	A. W. Palmer	M. S. Walton, Jr.
Simon B. Lott	Lilburn Phelps	James T. Webb
C. R. Luker	William A. Perry	W. M. Webb
Dr.J.N.M'Cormack	John A. Polin	N. B. White
Geo. M. McDowell	Dr. W. R. Ray	J. D. Wills
W. T. McNally	W. E. Rogers	M. O. Wilson
T. T. Mobley	A. W. Sharp	Roy S. Wilson
J. R. Mount	W. A. Shawler	—71

Those who voted in the negative were—

J. D. Pumphrey	Richard Radcliffe	—2

Resolved, That the title thereof be as aforesaid.

Mr. McCormack moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 85. An Act to amend section 1 of chapter 6 of the acts of 1912, entitled, "An Act granting pensions to indigent and disabled Confederate Soldiers and the widows of Confederate Soldiers."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1 of Chapter 6 of the Acts of 1912 be amended by inserting after the word, capacity, it being the fifth word in the 17th line of said section, the following words, to-wit:

"Or unless he verily believed that it was necessary that he should take the oath of allegiance to the United States Government before the war closed in order to prevent losing his life by sickness or starvation or both while in a Federal prison, or in order to prevent his life being taken when captured out of prison;" and the said section, when so amended, shall be in words and figures as follows:

That any indigent, disabled person who has been a citizen and an actual bona fide resident of this State continuously since January 1, 1907, and who actually served one year or until the close of the war, as an officer or enlisted man in the military or naval service of the Confederate States of America during the war of 1861 to 1865, or their widow, to whom the soldier was married prior to January 1, 1890, shall be paid out of the State Treasury the sum of ten dollars per month upon due proof of the facts according to forms and regulations prescribed by this act and subject to the restrictions and conditions provided herein: provided, that any person who was prevented from so serving until the close of the war by reason of wounds incurred or disease contracted in line of duty in such service, or by reason of being in capacity, or unless he verily believed that it was necessary that he should take the oath of allegiance to the United States Government before the war closed in order to prevent losing his life by sickness or starvation or both while in a Federal prison, or in order to prevent his life being taken when captured out of prison, shall be entitled to the benefits of this act the same as though he had served until the close of the war; and Provided, further, that any person who deserted or was dishonorably discharged from said

service shall not be entitled to the benefits of this act, unless he be re-enlisted or returned to said service and served thereafter one year or until the close of the war, or was prevented from so doing by reason of wounds, disease, or capacity, as before stated.

Mr. Webb offered the following amendment to said bill:

In lines 14 and 15 strike out the figures "1890" and insert in lieu thereof "1900."

Said amendment was disagreed to.

Mr. Lay offered the following amendment to said bill:

Strike out the figures "1890" and insert in lieu thereof "1880."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. C. Blades	Ed. F. Cecil
Harry Avery	Elmer L. Brown	Benjamin L. Cox
James W. Barrall	Glover H. Cary	J. G. Coke, Jr.

George T. Davis	D. H. Hillman	William A. Perry
John W. Douglas	J. M. Johnson	John A. Polin
John Drescher	T. R. Jones	J. D. Pumphrey
H. C. Duffy	John H. Klette	Richard Radcliffe
William Duffy	Dr. J.N.M'Cormack	Dr. W. R. Ray
Odie Duncan	Geo. M. McDowell	W. E. Rogers
G. P. Durrett	John McDyer	W. A. Shawler
Vert C. Fraser	W. T. McNally	L. M. Smith
Ed Frost	T. T. Mobley	Adam Spahn
Frank C. Greene	Harry J. Myers	W. T. Stott
Elwood Hamilton	Zach. L. Myers	M. S. Walton, Jr.
W. L. Hampton	John E. Newman	James T. Webb
H. H. Harrington	C. B. Nichols	John F. White
H. H. Hays	S. Mazyck O'Brien	J. D. Wills
Dr. S. L. Henry	A. W. Palmer	Roy S. Wilson

—55

Those who voted in the negative were—

Geo. B. Barrett	William J. Kuh	B. T. Rountree
Thomas J. Evans	J. C. Lay	S. M. Saufley
E. V. Hall	Simon B. Lott	A. W. Sharp
W. B. Harvey	C. R. Luker	Ed. D. Stone
W. E. Henninger	John G. Miller, Jr.	W. M. Webb
J. J. Huff	J. R. Mount	M. O. Wilson
R. B. Hutchcraft Jr.	Lilburn Phelps	
Griffin Kelly	W. A. Price	

—22

Resolved, That the title thereof be as aforesaid.

Mr. Douglas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said moton was agreed to.

Mr. Walton offered the following joint resolution, viz.:

H. Res. 17. Resolution extending an invitation to President Woodrow Wilson, of the United States, to make an address before the meeting of the Kentucky Educational Association, held in Louisville, Kentucky, May 1, 1914.

Whereas, the meeting of the Kentucky Educational Assocations to be held in the City of Louisville, Ky., on April 29-30, May 1, 2, 1914, at which it is estimated that at least 10,000 Superintendents, Principals, Teachers and School officers will be present, and

Whereas, the Association is a great factor in the economic, educational, moral and social life of the State, thereby decreasing illiteracy and crime and uplifting the manhood and womanhood of the State and preparing its citizens for more useful and practical living and its workmen for greater efficiency and greater earning capacity, and

Whereas, Kentucky is in the midst of a great constructive period in the educational life of the State, and

Whereas, President Woodrow Wilson was for many years one of the great educators of this country, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That President Woodrow Wilson be given a cordial and hearty invitation to visit the Kentucky Educatonal Assocation at its annual meeting in Louisville, Ky., on May 1, 1914, and deliver an address to its members, and the citizens of Kentucky, and that he be invited to suggest to Kentucky and the South plans for future development and growth along educational and economic lines.

Be it further resolved, That a copy of this resolution be sent by the Governor of Kentucky to President Woodrow Wilson and that it be given to the entire press of the State for publicaton.

Mr. Walton moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was read and adopted.

At 2 o'clock P. M.

Mr. Brown moved that the House do now adjourn.

Said motion was agreed to.

FRIDAY, JANUARY 30, 1914.

The House was opened with prayer by the Rev. John J. Gravatt, Jr., of the First Episcopal Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Farris:

H. B. 357. An Act to reduce the annual appropriation of the State Historical Society.

To Committee on Public Monuments and Historical Records.

By Mr. J. C. Duffy:

H. B. 358. An Act to regulate the tax on inheritances, and to amend sections 4281a and 4281m, article 19, chapter 108 of the Kentucky Statutes, Carroll's edition 1909.

To Committee on Kentucky Statutes.

By Mr. Walton;

H. B. 359. An Act to provide for the purchase, equipment and maintenance of law libraries by fiscal courts in counties containing cities of the second class.

To Committee on Municipalities.

By Mr. J. T. Webb:

H. B. 360. An Act repealing section 281 of the Criminal Code of Practice, Carroll's edition 1909.

To Committee on Codes of Practice.

By Same:

H. B. 361. An Act to repeal and re-enact section 1933 Kentucky Statutes, Carroll's edition 1909, relating to rewards.

To Committee on Kentucky Statutes.

By Mr. Perry:

H. B. 362. An Act regulating the amount of capital stock of corporations publishing, printing or distributing newspapers or news periodicals in cities of the first class.

To Committee on Municipalities.

By Mr. McNally:

H. B. 363. An Act to amend section 69 of the Code of Practice in criminal cases.

To Committee on Codes of Practice.

By Same:

H. B. 364. An Act regulating the cancellation of accident and health insurance.

To Committee on Insurance, Life and Accident.

By Mr. W. M. Webb:

H. B. 365. An Act for the benefit of Bernard Wells.

To Committee on Appropriations.

By Mr. Klette:

H. B. 366. An Act providing for the furnishing of school books free of charge to all school children attending the common schools.

To Committee on Education No. 2.

By Same:

H. B. 367. An Act authorizing Boards of Education of counties, cities and other school districts and trustees of graded school districts to furnish free of charge school books and providing for a tax levy to be used for that purpose.

To Committee on Education No. 2.

By Mr. Johnson:

H. B. 368. An Act to allow the use of hoop-nets in the navigable rivers of Kentucky.

To Committee on Fish and Game.

By Mr. Zach. L. Meyers:

H. B. 369. An Act to amend an act entitled, An Act to prevent the spread of communicable diseases among domestic animals in the State of Kentucky and to provide greater protection to the live stock industry of the State.

To Committee on Agriculture.

By Same:

H. B. 370. An Act to amend section 1741, Article VIII of Kentucky Statutes, Carroll's edition of 1909, entitled, "Fees allowed to Examiners."

To Committee on Kentucky Statutes.

By Same:

H. B. 371. An Act to promote the hog industry by rewarding persons killing buzzards and other carnivorous birds.

To Committee on Agriculture.

By Same:

H. B. 372. An Act amending section 74, title 5, Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Greene:

H. B. 373. An Act to repeal an act entitled, "An Act to amend an act entitled, Crimes and Punishments," which became a law on the 10th day of April, 1893.

To Committee on Criminal Law.

Mr. Lott called up for consideration from the Clerk's desk a resolution offered by him on yesterday.

(For resolution see yesterday's Journal.)

Said resolution was adopted.

A message was received from the Senate announcing that they had passed a bill entitled,

S. B. 17. An Act to regulate the payment of certain appropriations.

Said bill was ordered to be printed and referred to the Committee on Revenue and Taxation.

The Speaker announced the appointment of Mr. S. H. Rogers as Chairman of the Committee on Mines and Mining, to fill the vacancy caused by the death of the Hon. Samuel Turley.

Thereupon Mr. S. H. Rogers sent to the Clerk's desk and had read the following, viz.:

Frankfort, Ky., January 30, 1914.

Hon. Claude B. Terrell, Speaker,
House of Representatives.

In view of the fact that you have assigned me to fill the vacancy on the Committee on Mines and Mining made vacant by the untimely death of our worthy colleague, Samuel Turley, I hereby tender my resignation to the place assigned me on the Committee of Re-districting, Congressional.

S. H. ROGERS.

The Speaker announced the appointment of Mr. N. C Tilford as Chairman of the Committee on Re-districting, Congressional, to fill the vacancy caused by the resignation therefrom of the Hon. S. H. Rogers.

The Speaker announced the appointment of the Hon. N. C. Tilford to fill all other vacancies on standing committees caused by the unseating of the Hon. Yeaman Watkins.

The Speaker laid before the House the following communication:

Mt. Sterling, Ky., January 28, 1914.

To the Honorable Speaker, and Members
of the House of Representatives.

Gentlemen:

We desire to express our sincere thanks for the sentiments expressed by you in the resolution adopted; the beautiful floral offering sent and other kindness shown us in the loss of our beloved husband and father, Samuel Turley.

Wishing you a successful session and again thanking you, we are

Gratefully yours,
MRS. SAMUEL TURLEY AND FAMILY.

Which was ordered to be spread on the Journal.

Mr. McDowell, of the committee heretofore appointed to prepare and present to this House suitable resolutions upon the death of Green Remington Keller, offered the following resolution, viz.:

Whereas, it has pleased the Ruler of the Universe to remove from his earthly labors Honorable Green R. Keller,

Resolved, That in his death the State has lost one of its brightest, most active and faithful legislators, he having represented Bourbon County in this House during the sessions of 1877-8 and 1879-80 and Nicholas and Robertson Counties in 1912. For more than twenty years he was Clerk of this House and was one of the most familiar figures connected with the legislation of the State; that he was faithful to every trust and we are willing to bear testimony.

As a soldier in the camp, on the march, or upon the battlefield, he was always brave and fearless and everywhere won the love and admiration of his comrades. He was the pet of the regiment, having enlisted in the Confederate Army under General John H. Morgan only a few months after he had arrived at the age of fifteen years.

He was a veteran newspaper man, having owned and edited a number of Kentucky newspapers, and his able editorials and spicy paragraphs were widely copied throughout the country.

Resolved, That we tender to his children our deepest sympathy, and that a copy of these resolutions be engrossed by the Clerk and delivered to them by him.

GEO. M. MCDOWELL,
HENRY AVERY,
A. J. OLIVER.

Said resolution was read and adopted.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolution of the following title, viz.:

H. Res. 14. Resolution of respect to the memory of Hon. Samuel Turley, deceased, late a member of the House of Representatives.

Whereupon all other business was suspended, said resolution was severally read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution, which originated in the House, and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Farris, of the Committee on Agriculture:

H. B. 37. An Act to regulate the practice of Veterinary Surgery, Dentistry and Medicine.

With an amendment thereto.

By Mr. Klette, of the Committee on Court of Appeals:

H. B. 104. An Act to further regulate appeals to the Court of Appeals.

By Mr. Price, of the Committee on Codes of Practice:

H. B. 231. An Act to repeal and re-enact subsection 2 of section 552, title 13, chapter 3, article 2 of the Civil Code of Practice, authorizing a trial of equity cases by oral testimony.

By Same:

H. B. 232. An Act to amend subsection 1 of section 428 of title 10, chapter 3 of the Civil Code of Practice and regulating suits against decedent estates.

By Same:

H. B. 120. An Act to amend section 362 of title 9 of the Code of Practice of criminal cases.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 41. An Act defining cruelty to animals, prescribing means for the prevention thereof, and fixing penalties for its violation.

With an amendment thereto.

By Mr. Boitnott, of the Committee on Confederate Homes:

H. B. 263. An Act levying a tax to pay claims arising under an act entitled, "An Act granting pensions to indigent and disabled Confederate soldiers and widows of Confederate soldiers," approved March 4, 1912, and to pay the expenses of the administration of such law.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 29. An Act to abolish fellow servant rule of law in this tate.

By Mr. Mount, of the Committee on Railroads:

H. B. 216. An Act to amend section 805, Kentucky Statutes.

By Mr. J. T. Webb, of the Committee on Suffrage and Elections:

H. B. 11. An Act prohibiting the purchase or having in possession a certificate of registration of any voter of this Commonwealth and providing a penalty therefor.

With an amendment thereto.

By Same:

H. B. 81. An Act to amend the election laws of 1912.

By Same:

H. B. 261. An Act to repeal, revise and re-enact sections 6, 8 and 9 of primary election law so that candidates

will not be required to secure signatures of electors to petitions in order to get on ballots.

By Mr. Jones, of the Committee on Classification of Cities and Towns:

H. B. 229. An Act to amend chapter 75, of the acts of the General Assembly of 1912, assigning cities and towns of this Commonwealth to the class to which they belong.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

H. B. 133. An Act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in Kentucky and not incorporated under the laws of said State, but licensed to write such insurance therein through legally licensed agents, to write or cause to be written such insurance against loss or damage to property therein, except, the same be written by legally licensed agents of said companies under the laws of said State and residing therein, prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in companies not legally licensed to write such insurance in said State; fixing the venue of prosecution for the violation of certain sections hereof, and providing certain penalties.

H. B. 58. An Act to amend section eleven of an act relating to husband and wife, and entitled, "Husband and Wife" approved May 16th, 1893, Kentucky Statutes, section 2106.

H. B. 94. An Act to regulate lobbyists and lobbying.

With an amendment thereto by way of substitute therefor.

H. B. 144. An Act to prevent the sending, exhibiting, posting or circulating letters, circulars or posters, written or printed in pamphlet form or otherwise, false accusations against another person and prescribing the penalty therefor.

H. B. 159. An Act to amend and re-enact sections 3957 and 3958, chapter 105, Kentucky Statutes, Carroll's edition, 1909, relating to Public Printing and Binding and Stationery, being an Act of June 20, 1893.

S. B. 4. An Act to amend an act entitled, "An Act to create the thirty-fourth Judicial District of Kentucky, and to change the twenty-sixth and twenty-seventh circuit court judicial districts, and to provide for the holding of courts in the said twenty-sixth, twenty-seventh and thirty-fourth judicial districts, and to provide for Judges and Commonwealth Attorneys," which act was approved March 16, 1910.

Ordered that said bills be severally read the second time.

The provision of the Constitution as to the reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Said bills were ordered to be placed in the orders of the day.

Mr. Harry J. Meyers moved that when this House adjourn today it be to meet on next Monday, February 2, 1914, at 12 o'clock, meridian.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Hillman and Mount, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	William Duffy	J. R. Mount
Harry Avery	G. P. Durrett	Harry J. Myers
Wallace Bailey	Thomas J. Evans	C. B. Nichols
James W. Barrall	M. J. Farris, Jr.	S. Mazyck O'Brien
Geo. B. Barrett	Frank C. Greene	A. W. Palmer
J. M. Billeter	C. M. Gum	William A. Perry
H. C. Blades	H. H. Harrington	John A. Polin
Elmer L. Brown	W. E. Heninger	W. A. Price
C. W. Burton	J. J. Huff	J. D. Pumphrey
Glover H. Cary	R.B.HutchcraftJr.	Dr. W. R. Ray
Ed. F. Cecil	T. R. Jones	B. T. Rountree
Benjamin L. Cox	William J. Kuh	Louis Tieman
George T. Davis	J. C. Lay	N. C. Tilford
James R. Dorman	C. R. Luker	James T. Webb
John W. Douglas	Geo. M. McDowell	W. M. Webb
John Drescher	John McDyer	N. B. White
H. C. Duffy	W. T. McNally	M. O. Wilson
John C. Duffy	John G. Miller, Jr.	Roy S. Wilson

—53

Those who voted in the negative were—

J. G. Coke, Jr.	Simon B. Lott	S. M. Saufley
Odie Duncan	Dr.J.N.M'Cormack	W. A. Shawler
Ed Frost	Griffin Kelly	L. M. Smith
Elwood Hamilton	John H. Klette	Ed. D. Stone
W. L. Hampton	Zach. L. Myers	W. T. Stott
J. B. Harvey	John E. Newman	M. S. Walton, Jr.
H. H. Hays	Richard Radcliffe	John F. White
Dr. S. L. Henry	Stanley F. Reed	
D. H. Hillman	S. H. Rogers	

—26

Mr. Ray moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 17. An Act to promote the live stock interest in the State of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All fees or sums of money paid after the date upon which this Act becomes a law, for license to stand for service a stallion, jack, bull, boar or ram shall be set apart and paid to the various fair associations throughout the State to be used by such associations for premiums or prizes for live stock to be exhibited in competions at such fairs or public exhibitions, except for racing contests.

§ 2. Such fees or sums of money paid in each county during each year ending with the 30th day of June shall be paid, for the purpose above mentioned, to the fair associations holding a fair in such county during that calendar year. Before any fair association shall be entitled to receive such money for the purpose above mentioned, it shall cause to be filed in the office of the clerk of such county the affidavit of its president and secretary stating the organization of such association, their official connection with the association, the character of the exhibition to be given, the intention to give such exhibition, and the date or dates on which the fair is to be given. The affidavits shall also state the amount of money to be given by the association as premiums, prizes, stakes and purses for live stock or in live stock competition, and the fair cash value of any article or things of value to be so given. The board of directors of the association shall

designate the person or persons to whom the money is to be delivered for the association and the affidavits of the president and secretary shall also state such action of the board of directors and the person or persons designated by the board to receive the money.

§ 3. A bond shall be filed in the county clerk's office by said association to the Commonwealth of Kentucky, with good and sufficient security to be approved by the county clerk, conditioned that said money shall be used for purpose fixed by this Act, and that the association will faithfully comply with all of the provisions of this Act, the penal sum of such bond to be not less than the amount to be paid to such association. Upon the giving of such bond and the filing of such affidavits, the county clerk shall pay to the association the money due in accordance with the provisions of this Act before the date for the beginning of the fair or public exhibition. Such money to be paid over to the person or persons designated by the board of directors to receive the money for the association, as shown by the affidavits on file.

§ 4. Within thirty days after such fair or public exhibition, the president and secretary of the fair association shall file a report under oath in the county clerk's office stating the purpose for which the money was used, the amount used, and the amount, if any, remaining unexpended. Any sum so remaining shall be immediately paid to the County Clerk and by him paid into the State Treasury as such license is now required to be paid by him into the State Treasury. Such report shall also state any profits, if any, earned by the association, and if this information cannot be accurately given, the reason therefor must be stated.

§ 5. It shall be the duty of the county clerk immediately upon receipt of such report, to file in the office of the Commissioner of Agriculture, certified copies of the affidavits, bond and report required hereunder and the Auditor of Public Accounts shall have the power to institute an ac-

tion in the name of the Commonwealth against the association and upon its bond to recover any money not used in the accordance with the provisions of this Act, and to institute such action against the association and upon its bond to recover any money, when, under the provision of this Act, it may become the duty of said association to refund or repay such money or any part thereof.

§ 6. If no affidavit is filed in the county clerk's office as herein provided, on or before the 30th day of June, then the county clerk shall pay all of said license fees paid during the year ending with that date, as now required to be paid by him into the State Treasury.

§ 7. If such affidavits be filed on or before the 30th day of June by more than one association, the money due under this act shall be paid by the county clerk to that association offering the largest sum of money for premiums, prizes, stakes or purses, including the fair cash value of any articles or things of value offered for such purposes, as shown by the affidavits on file; and if the same amount is to be given by two or more associations as shown by such affidavits, then the amount is to be divided equally between or among such association.

§ 8. In case more than one affidavit is filed, the president and secretary of the association or associations receiving money shall, in addition to the report hereinbefore required, also report the amount of premiums actually given by such association, and the failure to give as premiums, prizes, stakes or purses, the amount of money stated in the affidavits shall entitle the Auditor of Public Accounts to recover from the association the money received under this Act. The amount of money offered by the association as premiums, prizes, stakes or purses, as shown in the affidavits of its president and secretary, must be offered in good faith. But if any ring, contest or exhibition for which stakes or purses be offered, for which a premium or prizes be offered in good faith, there be no more than one entry, then the as-

sociation is not to be charged with the failure to give the premium or prize so offered.

The association may prescribe reasonable rules and regulations for entries to racing contests or to other contests or exhibitions for stakes or purses. If such reasonable rules and regulations be not complied with or if for causes beyond the control of the association, any race or any contest or exhibition, for which a stake or purse be in good faith offered, cannot be given, then the association is not to be charged with the failure to give the money so offered.

The Auditor of Public Accounts may, for sufficient cause, other than those herein enumerated, excuse the association for failure to give any premium, prize, stake or purse offered in good faith, but this provision shall not require the Auditor to excuse the association for the failure to give any premium, prize, stake or purse offered in good faith, except for the reason hereinbefore stated.

§ 9. No profits shall at any time be distributed by any association among its members or stockholders until all money received under this Act shall have been repaid by the association to the Auditor of Public Accounts. Any profits may be retained, however, and used at future fairs or exhibitions for the purposes herein named or providing suitable grounds, buildings or equipment. Failure of any association to give a fair exhibition of the character herein named for three years from the date of a fair or exhibition, shall entitle the Auditor of Public Accounts to recover from the association out of the profits in the hands of the association, after the giving of its past fair or exhibition, the amount of money received by the association at any time under the provisions of this Act.

§ 10. The provisions of this Act shall apply only to an association of individuals or any corporation organized for the purpose of giving what is ordinarily known as a live stock or agricultural fair, at which fair or exhibition, however, rings must be provided and prizes or premiums given,

at least, for horses, mules, cattle, sheep, hogs, and jack stock. The money received under this Act, however, may be used as premiums or prizes for any other class or classes of live stock, which may be exhibited at such fairs or exhibitions.

Failure on the part of any association or of its president and secretary to file or to cause to be filed in the office of the county clerk the report required by this Act shall entitle the Auditor of Public Accounts to recover from such association the money received by it, and all money recovered or received by the Auditor of Public Accounts under the provision hereof shall be by him paid over to the State Treasury.

§ 11. Within fifteen days after the thirtieth day of June of each year, the county clerk shall file a report with the Auditor of Public Accounts, showing all of the fees received by him during the year ending with that date, for licenses, as provided in this Act, and the disposition made by him of such money under the provisions of this Act. For failure to file such a report, the clerk shall be liable to a penalty of twenty per cent upon the amount of money so received by him, which penalty may be recovered by the Auditor of Public Accounts.

§ 12. Any action authorized under the provisions of this Act must be instituted within two years from the date of accrual of such cause of action.

§ 13. It shall be the duty of the county attorney of the county in which the fair is given, upon request of the Auditor of Public Accounts, to institute and prosecute any action authorized to be instituted by this Act.

§ 14. Whereas it is believed that the various fair associations are in need of the money which may be received under the provisions of this Act, and it is desirous that such fair associations receive as many of the license fees which shall be paid before June 30, 1914, as possible, an emergency is hereby declared to exist for the immediate taking effect of this act, and it shall take effect from and after its passage and approval by the Governor.

Mr. Saufley offered the following amendments to said bill, viz.:

Amend section 4, line 6, by striking out the words, "State Treasury as such license is now required to be paid by him into the State Treasury" and inserting therefor the words, "road fund of such county and used exclusively for road purposes."

Amend section 5, line 4, by striking out the words, "Auditor of Public Accounts" and inserting in lieu thereof "County Attorney."

Amend section 6, line 5, by striking out all of line 4 and inserting therefor the words, "into the road fund of said county."

Amend section 8, line 6, by striking out the words, "Auditor of Public Accounts" and inserting in lieu thereof, "County Clerk."

Amend section 8, line 21, by striking out the words, "Auditor of Public Accounts," and inserting therefor the words "County Clerk." Also in line 24 of the same section, by striking out the word "Auditor" and inserting in lieu thereof, "County Clerk."

Amend section 9, lines 3 and 4, by striking out the words "Auditor of Public Accounts" and inserting in lieu thereof, the words "County Clerk." Also in line 8 of the same section, by striking out the words "Auditor of Public Accounts" and inserting in lieu thereof the words "County Clerk."

Amend section 10, line 11, by striking out the words "Auditor of Public Accounts" and inserting in lieu thereof, the words "County Clerk." Also in line 13 of the same section by striking out the words "Auditor of Public Accounts" and inserting in lieu thereof, the words "County Clerk."

Also amend line 14 of the same section by striking out the words "State Treasury" and inserting in lieu thereof, "road fund of said county."

Amend section 13, line 3, by inserting after the word "counts," the words "or the clerk of each county."

Said amendments were severally adopted.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length, being dispensed with, and the same being engrossed, it was read the third time by its title.

The question was taken on the passage of said bill and it was decided in the negative.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	Frank C. Greene	Lilburn Phelps
Harry Avery	C. M. Gum	William A. Perry
James W. Barrall	J. B. Harvey	John A. Polin
Geo. B. Barrett	J. J. Huff	J. D. Pumphrey
J. M. Billeter	T. R. Jones	Richard Radcliffe
Joseph Boitnott	William J. Kuh	S. H. Rogers
Elmer L. Brown	J. C. Lay	B. T. Rountree
C. W. Burton	C. R. Luker	A. W. Sharp
Benjamin L. Cox	Geo. M. McDowell	L. M. Smith
James R. Dorman	John McDyer	Louis Tieman
John W. Douglas	W. T. McNally	N. C. Tilford
John Drescher	John G. Miller, Jr.	M. S. Walton, Jr.
William Duffy	Zach. L. Myers	N. B. White
M. J. Farris, Jr.	John E. Newman	M. O. Wilson

—42

Those who voted in the negative were—

Wallace Bailey	H. H. Harrington	A. W. Palmer
Glover H. Cary	H. H. Hays	W. A. Price
Ed. F. Cecil	W. E. Henninger	Dr. W. R. Ray
J. G. Coke, Jr.	Dr. S. L. Henry	Stanley F. Reed
H. C. Duffy	D. H. Hillman	S. M. Saufley
Odie Duncan	R.B.HutchcraftJr.	W. A. Shawler
G. P. Durrett	J. M. Johnson	Ed. D. Stone
Thomas J. Evans	Griffin Kelly	W. T. Stott
W. N. Flippin	John H. Klette	James T. Webb
Vert C. Fraser	Simon B. Lott	W. M. Webb
Ed Frost	Dr.J.N.M'Cormack	John F. White
E. V. Hall	T. T. Mobley	J. D. Wills
Elwood Hamilton	J. R. Mount	
W. L. Hampton	S. Mazyck O'Brien	—40

Mr. Saufley moved that the vote by which said bill was rejected be reconsidered.

Mr. Mount moved that said motion be laid on the table.

Said last named motion was disagreed to.

The motion of Mr. Saufley to reconsider the vote by which said bill was rejected was agreed to.

Mr. Saufley moved that said bill be recommitted to the Committee on Agriculture.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 206. An Act prohibiting the shipment of liquors for sale in local option territory, and prohibiting persons from having in possession for sale liquors in such territory.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person in any county, district, precinct, town or city in this State where the sale as a beverage of vinous, malt, brewed, fermented, spirituous or intoxicating liquor is prohibited by law who has paid the United States internal revenue tax permitting the manufacture or sale of any such liquors, shall be deemed to have paid such tax with an intent to violate the prohibitory laws of this State, or of such township, municipality or county, and it shall be unlawful for any such person to buy, bargain for, accept, receive, hold or possess any such liquors. And it shall be unlawful for any person to buy for, sell, furnish, or knowingly deliver, ship or in any manner transport to any such person or his agent or any minor, any of the liquors heretofore mentioned: Provided, however, That none of the provisions of this section shall apply to any druggist who is authorized by the laws of this State to sell such liquors for medicinal, chemical, scientific or sacramental purposes.

§ 2. It shall be unlawful for any person to consign, ship or transport in any manner whatsoever, or deliver any of the liquors mentioned in section one of this act to any person in any county, district, precinct, town or city where by law, sale of such liquors is prohibited, or for any person residing in such prohibited territory to receive any such liquors, unless there appears upon the outside of the package containing any such liquors the following information: Name and address of the consignor, name and address of the consignee, and the statement either that such liquors are for personal and family use of the consignee, or for medicinal, mechanical, chemical, scientific or sacramental purposes. Any consignee accepting or receiving any package containing such liquors upon which appears a false statement, or any person consigning, shipping, transporting or delivering any such

package, knowing that said statement appearing upon the outside thereof is false, shall be deemed guilty of violating the provisions of this act.

§ 3. All railroad, express or other transportation companies within this State, or doing business within the State, are hereby required to keep at each local office in territory within which the sale of intoxicating liquors for beverage purposes is prohibited by any law, a separate book in which shall be entered immediately upon receipt thereof, truthful statements of the amount and kind of liquor received, the name and address of the consignor, the name and address of the consignee, the purpose for which said liquor is intended to be used, as stated upon the outside of the package containing such liquor; the date when received, the date when delivered and by whom and to whom delivered; after which record shall be a blank space in which the consignee by himself or his agent shall be required to sign his true name before such liquors are delivered to such consignee or his agent, which book shall be open to public inspection at any time during the business hours of said company. Such book shall constitute prima facie evidence as to the facts therein stated, and be admissible as evidence in any court in this State. Any railroad, express or other transportation company, or any employee or agent thereof who fails, neglects or refuses to comply with the provisions of this section, or who makes, or causes to be made, any false entry in said book, or any consignee or his agent who signs such false entry in said book, or any consignee or his agent who signs such false entry, shall be deemed guilty of a misdemeanor, and punished by a fine of not less than fifty dollars nor more than five hundred dollars, or imprisoned in the county jail not less than thirty days nor more than six months, or both such fine and imprisonment in the discretion of the court.

§ 4. In any county, district, precinct, town or city in this State where the sale of any of the liquors mentioned in section one is prohibited, it shall be unlawful for any per-

son to keep, store or possess any such liquors in any room, building or structure other than the private residence of such person and which is not used as a place of public resort; Provided, That none of the provisions of this section shall apply to druggists authorized to sell such liquors, nor to persons possessing such liquors for medicinal, mechanical, chemical, scientific or sacramental purposes, nor apply to such liquors in the process of transportation or in the possession of a common carrier.

§ 5. All liquors consigned, shipped, transported in any manner, received, held or possessed contrary to the provisions of this act, shall be deemed contraband.

§ 6. The word "person" as used in this section shall be deemed to include any individual, firm, co-partnership, or corporation or any combination of individuals.

§ 7. Any person, who himself, or by his clerk, agent or employee, shall violate any of the provisions of this act shall, for the first offense, be deemed guilty of a misdemeanor, and upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than two hundred dollars, and the costs of his prosecution, or to imprisonment in the county jail not less than thirty days nor more than three months, or both such fine and imprisonment in the discretion of the court. For the second and every subsequent offense he shall, upon conviction, thereof in any court of competent jurisdiction be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail not less than sixty days nor more than six months or both such fine and imprisonment in the discretion of the court.

§ 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. Huff offered the following amendment to said bill:

Amend by striking out the words "manufacture" in line 4, section 1 and "or" in line 5, section 1.

Said amendment was agreed to.

Mr. Phelps offered the following amendment to said bill:

Amend by striking out the word "court" in line 26 of section 3 and inserting in lieu thereof the word "jury"; and amend section 7 by striking out the word "court" in line 13 and insert in lieu thereof the word "jury."

Said amendment was agreed to.

Mr. Smith moved that said bill be recommitted to Committee on Alcoholic Liquor Traffic.

Said motion was disagreed to.

Mr. Walton offered the following amendment to said bill:

Amend section 4 in line 10 by adding to the word "carrier" the words "nor any licensed manufacturer or distiller engaged in the manufacture of distilled spirits in said prohibition territory."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Elwood Hamilton	A. W. Palmer
Harry Avery	W. L. Hampton	Lilburn Phelps
Wallace Bailey	H. H. Harrington	William A. Perry
James W. Barrall	J. B. Harvey	John A. Polin
Geo. B. Barrett	H. H. Hays	W. A. Price
H. C. Blades	W. E. Henninger	J. D. Pumphrey
Joseph Boitnott	Dr. S. L. Henry	Richard Radcliffe
Elmer L. Brown	D. H. Hillman	Dr. W. R. Ray
C. W. Burton	J. J. Huff	Stanley F. Reed
Glover H. Cary	R.B.HutchcraftJr.	S. H. Rogers
Ed. F. Cecil	J. M. Johnson	B. T. Rountree
J. G. Coke, Jr.	T. R. Jones	S. M. Saufley
Benjamin L. Cox	Griffin Kelly	A. W. Sharp
James R. Dorman	John H. Klette	W. A. Shawler
John W. Douglas	William J. Kuh	L. M. Smith
John Drescher	J. C. Lay	Ed. D. Stone
H. C. Duffy	Simon B. Lott	W. T. Stott
John C. Duffy	C. R. Luker	Louis Tieman
William Duffy	Dr.J.N.M'Cormack	N. C. Tilford
Odie Duncan	Geo. M. McDowell	M. S. Walton, Jr.
G. P. Durrett	John McDyer	James T. Webb
Thomas J. Evans	W. T. McNally	W. M. Webb
M. J. Farris, Jr.	John G. Miller, Jr.	John F. White
Vert C. Fraser	T. T. Mobley	N. B. White
Ed Frost	J. R. Mount	J. D. Wills
Frank C. Greene	Harry J. Myers	M. O. Wilson
C. M. Gum	Zach. L. Myers	Roy S. Wilson
E. V. Hall	John E. Newman	

—82

Those who voted in the negative were—

S. Mazyck O'Brien —1

Resolved, That the title thereof be as aforesaid.

Mr. Jones moved that the vote by which said bill was passed be reconsidered and that said motion be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 1. An Act to amend section 10 of an Act entitled, An Act requiring fiscal courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings, and prescribing penalties for failure to perform such duties.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of an Act entitled "An Act requiring Fiscal Courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings and prescribing penalties for failure to perform such duties," approved March 21, 1910, be and the same is hereby amended so as to read as follows:

Section 1. That the County Judge, County Attorney and County Clerk of each county, except in counties having a city of the first or second class, are made a "Building Commission" for their respective counties, said commission is declared to be a corporation under the name of "The County Building Commissioners of .....County," (name of county to be inserted in blank) with power to sue and be sued, contract and be contracted with as hereinafter directed and is authorized to execute all necessary contracts

and make such orders as may be required in discharging their duties as such corporation one of the members of said corporation shall be elected president, another secretary, but the county treasurer may be elected treasurer of said corporation. All contracts, proceedings and orders of said corporation shall be signed by the president and attested by the secretary, and sealed with the corporate seal. Whenever a court or jail or either of any county in this Commonwealth is destroyed, then in either of said events it shall be the duty of the Fiscal Court to direct the county building commissioners to make such contracts as they deem necessary to secure the building of a new court house or jail or either within such limits as to price as shall be fixed by the Fiscal Court. When said county building commissioners have contracted to build a court house and jail or either or equip the same, said contracts shall be submitted to the Fiscal Court for its approval and when so approved shall become a contract between the county building commissioners and the contractor. It shall be the duty of the Fiscal Court of the county in which said buildings are to be erected at the time of the approval of said contract to levy an annual, special building tax of not less than 10 cents on each $100.00 worth of taxable property in said county, as shown by the last returned assessment and make an order levying and pledging the levy of said tax for such numbers of years as may be determined by the Fiscal Court and such as will raise a sufficient sum of money, which when added to any money that may be on hand available at the time said levy is made and appropriated to said purpose, to erect and equip at the county seat of said county a convenient and suitable Court House and Jail, or either for said county to pay off and discharge the obligation of said contract. The Fiscal Court at the time of the levy of said tax shall designate for what purpose it shall be used and said tax so levied and collected shall be used only for the purpose for which it was levied and any money on hand which is appropriated for said purpose shall

be used only for said purpose and if after contracts above mentioned are made and approved by the Fiscal Court as herein provided and the Fiscal Court should refuse to levy said tax as herein provided, then said county building commissioners or any one of them or the contractors who are to build said court house or jail, or either or any tax payer or any one else interested may by proceedings by mandamus compel said Fiscal Court to levy said tax and have the same collected annually and deposited with the county treasurer and the proceeds of said tax shall be collected annually and deposited with the County Treasurer and said tax levy and orders for the same shall not be a county debt nor deemed to be in excess of or contrary to any statutory or constitutional provision of the laws of this Commonwealth, but an indispensible, current governmental county expense fixed by law to be paid annually by taxation, and the contractor shall look solely to said annual tax levy and the revenues derived therefrom, all of which may be pledged and assigned to him in the order levying said tax made by the Fiscal Court, for his compensation and for the payment of said contract, and any debt created by such contract shall be the debt of said corporation and not the debt of the county and the treasurer of said county shall pay over all the proceeds from said tax levy, coming to his hands upon orders of the County Building Commissioners as provided for in said contract and he shall pay over all such monies in his hands realized from said tax levy or any other money which has been set aside by the Fiscal Court for said building purposes and as may be agreed to in said contract. No member of the County Building Commissioners or the Fiscal Court shall be financially interested in the construction of any public building in any county.

§ 2. Therefore, it being known that in several counties of the Commonwealth the court house has been destroyed or condemned and it is necessary to take immediate steps to replace the same. For these reasons, therefore, an emergency

is declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

The amendment heretofore proposed to said bill by the committee on county and city courts, is as follows, viz.:

Amend by adding after the word "court" in the 19th line the word "house"; also amend by adding between the word "destroyed" in the 20th line, and the word "then," immediately following in same line the words "or when any county in this Commonwealth has no court house or jail, or either or both has been condemned by a grand jury or the fiscal court of the county as unsafe and unfit for the purposes for which it is used."

Said amendments were severally agreed to.

Mr. Luker offered the following amendment to said bill:

That "nor more than forty cents" be added after the word "cents" in line 32 of section 1.

Said amendment was disagreed to.

Ordered that said bill as amended be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, said bill as amended was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. L. Hampton	C. B. Nichols
Harry Avery	H. H. Harrington	S. Mazyck O'Brien
Wallace Bailey	J. B. Harvey	Lilburn Phelps
James W. Barrall	H. H. Hays	J. D. Pumphrey
Geo. B. Barrett	Dr. S. L. Henry	Richard Radcliffe
H. C. Blades	J. J. Huff	Dr. W. R. Ray
Joseph Boitnott	J. M. Johnson	Stanley F. Reed
Elmer L. Brown	T. R. Jones	S. M. Saufley
C. W. Burton	John H. Klette	W. A. Shawler
Benjamin L. Cox	William J. Kuh	L. M. Smith
James R. Dorman	Simon B. Lott	W. T. Stott
John Drescher	Dr.J.N.M'Cormack	N. C. Tilford
William Duffy	Geo. M. McDowell	M. S. Walton, Jr.
M. J. Farris, Jr.	W. T. McNally	James T. Webb
Ed Frost	John G. Miller, Jr.	W. M. Webb
Frank C. Greene	T. T. Mobley	John F. White
C. M. Gum	Harry J. Myers	N. B. White
E. V. Hall	Zach. L. Myers	
Elwood Hamilton	John E. Newman	—55

Those who voted in the negative were—

Ed. F. Cecil	R.B.Hutchcraft Jr.	B. T. Rountree
H. C. Duffy	C. R. Luker	Ed. D. Stone
G. P. Durrett	J. R. Mount	J. D. Wills
D. H. Hillman		—10

Resolved, That the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 165. An Act to provide for the registration of names for farms and to prevent the use of such names when registered.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Commissioner of Agriculture, Labor and Statistics be authorized to secure books and prepare certificates for the registration, upon application, of the names of farms and for the issuance of certificates showing the name claimed, the name and address of the claimant, the location of the farm and the date that said name was claimed for the farm. No farm of less than five acres shall be registered. When said farm is reduced by sale, transfer, gift or otherwise to less than five acres, then said name shall be stricken from the register and can be claimed by other parties.

§ 2. Any person who can produce satisfactory evidence to the State Board of Agriculture that he has used, for one year previous to the enactment of this law, a name in advertising his farm shall be entitled to register that name for his farm. Said claim, however, shall be made within six months after the passage of this act. After said six months the Commissioner of Agriculture shall not issue to any person certificate giving them the right to use a name already registered, nor shall the Commissioner issue any right to a name to any person, firm or corporation that is not the bona fide owner of the farm when application for registration is made. The name claimed for any farm and so registered, shall go with the farm when transferred and shall not be retained by the original claimant, unless a written agreement is filed with the Commissioner of Agriculture stating that the right to the name registered is retained by the party disposing of the farm.

§ 3. Each application for the registration of the name of a farm shall be accompanied by a fee of $1.00, payable to the Department of Agriculture, Labor and Statistics and such money shall be placed in the bureau fund of the Depart-

ment to be used in paying the expenses of registration or in the promotion of the agricultural interests of the State, or in case said moneys are not thus used, they shall revert to the State Treasury as other funds of the Department.

§ 4. Any person who shall advertise either by sign, poster, by letter head or in newspaper or in any other way, a farm under a name already registered as above provided shall upon the first offense be notified in writing by the Department of Agriculture of the name of the person holding the certificate of registration of the name used and upon the second and subsequent offenses shall be fined not less than $10.00 nor more than $50.00 for each offense. Each month or fraction thereof that any advertising is done or permitted to be done under a name already claimed and registered, shall be deemed a separate offense.

§ 5. This act shall take effect upon its passage and approval by the Governor.

Mr. Duncan offered the following amendment to said bill:

Amend by adding in the 7th line of section 3 after the word "department" the following: "In no event shall the additional expenses incurred by this act to the State exceed the amount collected for registration fees."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Hays	A. W. Palmer
Harry Avery	D. H. Hillman	Lilburn Phelps
Wallace Bailey	J. J. Huff	William A. Perry
Geo. B. Barrett	R.B.HutchcraftJr.	John A. Polin
J. M. Billeter	J. M. Johnson	J. D. Pumphrey
Elmer L. Brown	T. R. Jones	Richard Radcliffe
C. W. Burton	Griffin Kelly	Dr. W. R. Ray
Glover H. Cary	John H. Klette	Stanley F. Reed
J. G. Coke, Jr.	William J. Kuh	S. H. Rogers
Benjamin L. Cox	J. C. Lay	B. T. Rountree
James R. Dorman	Simon B. Lott	S. M. Saufley
John W. Douglas	C. R. Luker	A. W. Sharp
John Drescher	Dr.J.N.M'Cormack	W. A. Shawler
John C. Duffy	Geo. M. McDowell	L. M. Smith
William Duffy	John McDyer	W. T. Stott
Odie Duncan	W. T. McNally	N. C. Tilford
G. P. Durrett	John G. Miller, Jr.	James T. Webb
Ed Frost	T. T. Mobley	W. M. Webb
Frank C. Greene	J. R. Mount	John F. White
C. M. Gum	Harry J. Myers	N. B. White
E. V. Hall	Zach. L. Myers	M. O. Wilson
Elwood Hamilton	John E. Newman	Roy S. Wilson
W. L. Hampton	C. B. Nichols	
J. B. Harvey	S. Mazyck O'Brien	

—70

Those who voted in the negative were—

Joseph Boitnott	H. C. Duffy	Ed. D. Stone
Ed. F. Cecil	Thomas J. Evans	J. D. Wills

—6

Resolved, That the title thereof be as aforesaid.

Mr. Polin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 164. An Act to amend section 67 and subsections 3 and 4 of section 68a, article 3, Carroll's edition Kentucky Statutes, 1909.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 67 be amended by inserting the words "or goats" in the third line after the word sheep. So that the section when so amended will read as follows:

§ 1. A justice of the peace, on proof that any dog is mad, or has been bitten by a mad dog, or has killed or wounded any sheep or goats, shall order such dog to be killed; and the officer who executes the order shall be paid, by the owner of the dog, one dollar. If the owner of any dog so ordered to be killed shall conceal it, or order it to be concealed, or prevent the execution of such order, he shall be fined five dollars for every day said dog be concealed or prevented from being killed.

§ 2. That Section 68a, subsection 3 be amended by inserting the words "or goats" immediately after the word "sheep" in each place that the word "sheep" may occur in this subsection, so that said subsection when amended shall read as follows:

When any sheep or goats are killed or injured by dogs, the owner or person having custody of same, shall, without

delay and within twenty-four hours after such killing or injury is made known to him, notify the magistrate in whose district the sheep or goats are located, and make affidavit setting forth the number of sheep or goats killed, and the number injured, the kind, grade or quality, amount and nature of injury thereto and that such damage was not caused in whole or in part by a dog owned or harbored by him and that he does not know whose dog caused the damage, or, if known, and such account reduced to judgment could not be collected on execution. The magistrate shall then appoint two disinterested and discreet freeholders of the neighborhood where the injury was done, to appraise the damage, and shall furnish them with claimant's affidavit or a copy thereof, and the appraisers shall forthwith examine such sheep or goats, and make a written report on the claim to the magistrate, who shall forthwith forward the claimant's affidavit and the appraiser's report to the County Clerk, together with his endorsement thereon. The clerk shall file same in his office, and endorse thereon the date of such filing. The magistrate and each of the appraisers shall be allowed fifty cents for their services, to be paid out of the dog tax fund of such county as other claims.

§ 3. That Section 68a, subsection 4, be amended by inserting the words "or goats" immediately after the word "sheep" in each place that the word "sheep" may appear in this subsection so that said section when so amended shall read as follows:

At each meeting of the fiscal court the claims for loss or damage to sheep or goats, which have been filed not less than thirty days prior to such meeting, shall be taken up and considered, and rejected, or if correct and just, allow the same, or such part thereof as may be deemed right: Provided, That the fiscal court may require additional evidence on any such claims, either by oral testimony or affidavits. Such claims as are allowed shall be filed with the Auditor, who shall, after the first of January of each year, take up all

such claims by counties, and draw his warrants upon the Treasurer, in favor of claimant for the amount allowed by the fiscal court: Provided, If the amount of dog tax fund to the credit of any county be not sufficient to pay all claims for such county, the Auditor shall pro rate the claims from such county. And any surplus remaining to the credit of the county after all such claims are allowed, shall be transferred to the credit of the school fund of such county.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	John C. Duffy	T. R. Jones
Wallace Bailey	William Duffy	Griffin Kelly
James W. Barrall	Odie Duncan	John H. Klette
Geo. B. Barrett	Thomas J. Evans	William J. Kuh
H. C. Blades	Ed Frost	J. C. Lay
Elmer L. Brown	Frank C. Greene	Simon B. Lott
C. W. Burton	C. M. Gum	C. R. Luker
Glover H. Cary	Elwood Hamilton	Dr. J. N. M'Cormack
Ed. F. Cecil	H. H. Harrington	Geo. M. McDowell
J. G. Coke, Jr.	J. B. Harvey	John McDyer
Benjamin L. Cox	H. H. Hays	W. T. McNally
James R. Dorman	Dr. S. L. Henry	John G. Miller, Jr.
John W. Douglas	D. H. Hillman	J. R. Mount
John Drescher	R. B. Hutchcraft Jr.	Harry J. Myers
H. C. Duffy	J. M. Johnson	Zach. L. Myers

C. B. Nichols	Dr. W. R. Ray	N. C. Tilford
S. Mazyck O'Brien	Stanley F. Reed	M. S. Walton, Jr.
A. W. Palmer	S. H. Rogers	James T. Webb
Lilburn Phelps	B. T. Rountree	W. M. Webb
William A. Perry	S. M. Saufley	John F. White
John A. Polin	L. M. Smith	N. B. White
W. A. Price	Ed. D. Stone	J. D. Wills
J. D. Pumphrey	W. T. Stott	M. O. Wilson
Richard Radcliffe	Louis Tieman	—71

Those who voted in the negative were—

Harry Avery	W. L. Hampton	—2

Resolved, That the title thereof be as aforesaid.

Mr. Palmer moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 222. An Act to repeal chapter 97 session acts of 1912 entitled, "An Act to amend an Act entitled, 'Crimes and Punishments.'"

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Act approved by the Governor on March 15, 1912, known as Chapter 97, pages 282 and 283 of the session Acts of the Commonwealth of Kentucky for 1912 be and the same is hereby repealed, and in lieu thereof that section 1306 of subdivision 7, Article 4 of Chapter 36 of the Kentucky

Statutes entitled: "Crimes and Punishments" which became a law on April 10, 1893 and the same is hereby re-enacted so as to read as follows, to-wit:

1306. Any person who shall sell, lend or give, procure for or furnish vinous, spirituous or malt liquor, or any mixture of either, to a person under twenty-one years of age, other than his own children, without the special written direction so to do, specifying the person by name and the quantity, from the father, mother or guardian to such infant, shall be fined fifty dollars.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	John W. Douglas	H. H. Harrington
Harry Avery	John Drescher	J. B. Harvey
Wallace Bailey	H. C. Duffy	H. H. Hays
Geo. B. Barrett	John C. Duffy	W. E. Henninger
H. C. Blades	William Duffy	Dr. S. L. Henry
Joseph Boitnott	G. P. Durrett	D. H. Hillman
C. W. Burton	Thomas J. Evans	J. J. Huff
Glover H. Cary	Vert C. Fraser	R. B. Hutchcraft Jr.
Ed. F. Cecil	Frank C. Greene	J. M. Johnson
J. G. Coke, Jr.	C. M. Gum	T. R. Jones
Benjamin L. Cox	E. V. Hall	Griffin Kelly
George T. Davis	Elwood Hamilton	John H. Klette
James R. Dorman	W. L. Hampton	William J. Kuh

J. C. Lay	S. Mazyck O'Brien	L. M. Smith
Simon B. Lott	A. W. Palmer	Ed. D. Stone
C. R. Luker	Lilburn Phelps	W. T. Stott
Dr.J.N.M'Cormack	William A. Perry	Louis Tieman
Geo. M. McDowell	John A. Polin	N. C. Tilford
John McDyer	W. A. Price	M. S. Walton, Jr.
W. T. McNally	J. D. Pumphrey	James T. Webb
John G. Miller, Jr.	Richard Radcliffe	W. M. Webb
T. T. Mobley	Dr. W. R. Ray	John F. White
J. R. Mount	Stanley F. Reed	N. B. White
Harry J. Myers	S. H. Rogers	J. D. Wills
Zach. L. Myers	B. T. Rountree	M. O. Wilson
John E. Newman	A. W. Sharp	Roy S. Wilson
C. B. Nichols	W. A. Shawler	—80

Those who voted in the negative were—

Elmer L. Brown Odie Duncan —2

Resolved, That the title thereof be as aforesaid.

Mr. Mount moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 86. An Act to provide for the search of premises in local option territory where intoxicating liquors are sold or suspected of being sold, for the seizure of such intoxicating liquors, for the arrest of person or persons in charge of such premises, or intoxicating liquors and for the purpose of declaring such intoxicating liquors contraband, and direct their confiscation and destruction.

Said bill reads as follows, viz.:

Be it Enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in any county, city, town, district, or precinct, where the sale of intoxicating liquors has been prohibited, or may be prohibited, whether by special act of the General Assembly or by vote of the people under the local option law of this State, any judge or justice of the peace, when an affidavit of one or more persons, is filed with him describing the premises as nearly as may be, where intoxicating liquors are sold or suspected of being sold, may by his warrant cause any house or building or other place to be searched by night or by day for the detection of any intoxicating liquors which are kept there for the purpose of sale and if admission be not given on demand made by the officer or other person in charge of the warrant shall force an entrance into such house, building or other place and seize any intoxicating liquors and arrest the keeper or person in charge of such house, building or other place, or intoxicating liquor and carry such person or persons before the judge or justice of the peace issuing the warrant, or before some other judge or justice of the peace, to be dealt with according to law.

§ 2. That upon conviction of the person or persons in charge of the house, building or other place, or the intoxicating liquors, the judge, justice of the peace or court trying such offender or offenders shall adjudge the intoxicating liquors so seized contraband and confiscate the same at once unless notice of an appeal or an appeal of the case be taken. When a notice of appeal of the case is given or an appeal taken, the judge, justice of the peace or court trying the case shall keep such intoxicating liquors in his possession until the case is finally determined and he shall then dispose of such intoxicating liquors as the final judgment may determine.

Mr. Miller offered the following amendment to said bill:

Amend by striking out the words "an affidavit of one or more persons is filed" in line 5 of section 1, and inserting in lieu thereof the words "affidavits of three or more reputable persons are filed."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	Ed Frost	John H. Klette
Wallace Bailey	Frank C. Greene	Simon B. Lott
H. C. Blades	C. M. Gum	C. R. Luker
C. W. Burton	E. V. Hall	Dr.J.N.M'Cormack
Glover H. Cary	Elwood Hamilton	Geo. M. McDowell
Ed. F. Cecil	W. L. Hampton	John G. Miller, Jr.
J. G. Coke, Jr.	H. H. Harrington	T. T. Mobley
Benjamin L. Cox	J. B. Harvey	J. R. Mount
James R. Dorman	H. H. Hays	Harry J. Myers
John W. Douglas	W. E. Henninger	Zach. L. Myers
H. C. Duffy	Dr. S. L. Henry	John E. Newman
John C. Duffy	D. H. Hillman	C. B. Nichols
Odie Duncan	J. J. Huff	A. W. Palmer
G. P. Durrett	R.B.HutchcraftJr.	Lilburn Phelps
Thomas J. Evans	J. M. Johnson	W. A. Price
M. J. Farris, Jr.	T. R. Jones	J. D. Pumphrey
Vert C. Fraser	Griffin Kelly	Richard Radcliffe

Dr. W. R. Ray	Ed. D. Stone	John F. White
S. H. Rogers	W. T. Stott	N. B. White
B. T. Rountree	Louis Tieman	J. D. Wills
S. M. Saufley	N. C. Tilford	M. O. Wilson
A. W. Sharp	James T. Webb	Roy S. Wilson
L. M. Smith	W. M. Webb	—68

Those who voted in the negative were—

Peter Ampler	John Drescher	John A. Polin
Geo. B. Barrett	William Duffy	Stanley F. Reed
Joseph Boitnott	W. T. McNally	W. A. Shawler
Elmer L. Brown	S. Mazyck O'Brien	M. S. Walton, Jr.
George T. Davis	William A. Perry	—14

Resolved, That the title thereof be as aforesaid.

Mr. Douglas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following communication was laid before the House by the Speaker, viz.:

Auditor's Office.

Frankfort, Ky., January 27, 1914.

Hon. Claude B. Terrell, Speaker
House of Representatives of Kentucky.

Dear Sir:

Responding to resolution adopted by your Honorable Body on January 19th. I beg to say that there is no employe of this office required to travel over the State, except when summoned under subpoena duces tecum, which rarely occurs.

To furnish a full and complete list of employes of the State, and an itemized statement of the bills paid and lodged for payment, representing the traveling expenses of each person so employed covering the period from January 1, 1913, to January 1, 1914, would require an examination of almost every voucher issued, numbering some 14,000 vouchers. This work would require almost the entire force of the office for such a period of time, that we would hardly be able to furnish information requested, before the close of the session.

Regretting very much indeed that I am unable to comply with the request contained in said resolution, I beg to remain

Very respectfully,
H. M. BOSWORTH, Auditor.

The Speaker announced the following appointments, under and by virtue of a resolution entitled:

H. Res. 1. Resolution for the employment and appointment of certain persons and for the payment of certain contingent expenses of this General Assembly, and providing the mode of payment thereof, namely:

Five Guards at $4.00—Jas. F. Dyer, Chas. Peterson, C. F. Nagel, Francis S. Roark, William F. Spahn.

One Stenographer to the Chief Clerk at $5.00—Eli Berry.

Three Stenographers to the House at $5.00—Zilpah Freeman, Lillian Sample, Sterling Thornton.

One Copyist at $5.00—Howell Scott.

One Bill Clerk at $4.00—Jas. W. Reed.

Two Assistant Bill Clerks at $3.00—Homer Spillman, John M. Calhoun.

Two Mail Clerks at $2.50—John Newman, Austin Vest.

Five Messengers at $2.00—Jas. W. McCain, Earl Berry, Fred Frost, Robert W. Edwards, Charles Baker.

Two Messengers to Committees at $2.00—Geo. Dewey Henry, Delmar Harrod.

One Messenger to Speaker at $2.50—George Wilson.

One Assistant Enrolling Clerk at $.400—Maude Applegate.

One Porter at $1.50—John Wales.

Mr. Polin moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned until Monday next, February 2, 1914, at 12 o'clock, meridian.

MONDAY, FEBRUARY 2, 1914.

The House was opened with prayer by the Rev. H. G. Turner, of the Methodist Episcopal Church (South), of the City of Frankfort.

The reading of the Journal of Friday's proceedings (January 30th, 1914) was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows:

By Mr. Evans:

H. B. 374. An Act to authorize any tax payer to institute and prosecute actions and proceedings for the collection of unsatisfied judgments, claims, accounts, and demands, or either, due and owing to the Commonwealth of Kentucky or to any County, City or Town, in all cases wherein the Attorney General, County Attorney, City Attorney, or attorney for said town, fails to institute and prosecute said actions or other proceedings within thirty days after notice to said attorney, and to prescribe the venue of such actions and the compensation of said taxpayer.

To Committee on Judiciary.

By Mr. Phelps:

H. B. 375. An Act creating the Kentucky School Law Commission and prescribing its powers and duties.

To Committee on Education No. 2.

By Same:

H. B. 376. An Act to compel witnesses to testify in regard to offenses against the election laws of this State and providing immunity for those compelled to testify.

To Committee on Suffrage and Elections.

By Same:

H. B. 377. An Act to amend section 1155, Kentucky Statutes.

To Committee on Kentucky Statutes.

By Same:

H. B. 378. An Act to further regulate testimony in misdemeanor cases.

To Committee on Criminal Law.

By Mr. J. T. Webb:

H. B. 379. An Act to amend sections 48, 50 and 94 of an act entitled, "An Act defining Public Roads and creating the office of Road Engineer and prescribing the duty thereof so that it will be left to the option of the Fiscal Court of each county whether or not a Road Engineer shall be elected or not.

To Committee on Public Roads and Highways.

By Mr. Tilford:

H. B. 380. An Act amending an act entitled, An Act for the government of cities of the fifth class, approved July 3, 1893.

To Committee on Municipalities.

By Mr. Barrett:

H. B. 381. An Act establishing a State Athletic Board of Control.

To Committee on Kentucky Statutes.

By Mr. McNally:

H. B. 382. An Act prohibiting a citizen of the State from obtaining insurance on a motor vehicle protecting the owner or person operating same from loss or damage by reason of death or injury to the person or property caused by such motor vehicle and prohibiting any physician or doctor of dental surgery in this State from obtaining insurance protecting him from loss or damage by reason of malpractice on his part.

To Committee on Judiciary.

By Mr. W. M. Duffy:

H. B. 383. An Act relating to provisions in contracts giving to engineers, architects and other persons the power to make final awards and appraisement; and to prevent the ousting of the jurisdiction of the courts by reason of such provisions.

To Committee on Judiciary.

By Mr. Dorman:

H. B. 384. An Act relating to Crimes and Punishments and for the protection of girls under sixteen years of age.

To Committee on Criminal Law.

By Mr. Klette:

H. B. 385. An Act fixing the compensation of the members of the Fiscal Court in counties which have voted or may hereafter vote in favor of the Fiscal Court being composed

of the County Judge and three commissioners to be elected by the County Judge.

To Committee on County and City Courts.

By Mr. Johnson:

H. B. 386. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling of railroads within the boundary of this State in part or in whole.

To Committee on Railroads.

By Mr. Newman:

H. B. 387. An Act to amend chapter 63 of the Kentucky Statutes, relating to the State Board of Health.

To Committee on Public Health.

By Mr. Douglas:

H. B. 388. An Act to amend Article I of Chapter II of title IV of the Civil Code of Practice of this State relating to service of summons.

To Committee on Codes of Practice.

By Mr. Hutchcraft:

H. B. 389. An Act providing for and regulating furnishing of natural gas by gas companies to residents of this State outside of cities and towns.

To Committee on Kentucky Statutes.

By Same:

H. B. 390. An Act to amend and re-enact section 20 of the Banking Act of 1912 relating to the incorporation of banks, combined banks and trust companies, and to amend section 6 of said act by providing for the employment of an additional bank examiner.

To Committee on Banks and Banking.

By Mr. Walton:

H. B. 391. An Act to amend section 133, Carroll's 1909 edition Kentucky Statutes, entitled, "Attorneys at law."

To Committee on Judiciary.

Mr. Henninger presented a petition of sundry citizens of Breckinridge County asking the enactment of a State Bank Guarantee Bill that will protect the depositors against loss occasioned by reason of bank failure due to any cause.

Which was received, read, and ordered to be referred to the Committee on Banks and Banking.

Mr. Jones presented a petition of sundry citizens of Calloway County asking the enactment of a State Bank Guarantee Bill that will protect the depositors against loss occasioned by reason of bank failure due to any cause.

Which was received, read, and ordered to be referred to the Committee on Banks and Banking.

Mr. McDyer presented a petition of sundry citizens of Boyd County protesting against the passage of Senate Bill No. 109, known as the Glenn Bill.

Which was received, read, and ordered to be referred to the Committee on Insurance, Fire and Marine.

Mr. McDyer presented a petition of sundry citizens of Catlettsburg and vicinity urging the passage of a bill prohibiting Base Ball on Sunday.

Which was received and read.

Mr. Stone presented a petition of sundry citizens of Crittenden County asking the enactment of a State Bank Guarantee Bill that will protect the depositors against loss occasioned by reason of bank failure due to any cause.

Which was received, read, and ordered to be referred to the Committee on Banks and Banking.

Mr. Evans offered the following resolution, viz.:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That Mrs. Cora Wilson Stewart be invited to address the House of Representatives in Committee of the Whole in the Commonwealth of Kentucky on the 11th day of February, 1914, at 1 o'clock P. M., and that the Speaker of the House appoint a Committee of two members to notify Mrs. Stewart of this invitation to address the Committee of the Whole.

Said resolution was adopted.

Under and by virtue of said resolution the Speaker appointed the following as a committee to notify Mrs. Cora Wilson Stewart:

Messrs. T. J. Evans and J. McDyer.

H. B. 37. An Act to regulate the practice of Veterinary Surgery, Dentistry and Medicine.

With an amendment thereto.

H. B. 104. An Act to further regulate appeals to the Court of Appeals.

H. B. 231. An Act to repeal and re-enact subsection 2 of section 552, title 13, chapter 3, article 2 of the Civil Code of Practice, authorizing a trial of equity cases by oral testimony.

H. B. 232. An Act to amend subsection 1 of section 428, title 10, chapter 3 of the Civil Code of Practice and regulating suits against decedent estates.

H. B. 120. An Act to amend section 362 of title 9 of the Code of Practice of criminal cases.

H. B. 41. An Act defining cruelty to animals, prescribing means for the prevention thereof, and fixing penalties for its violation.

With an amendment thereto.

H. B. 263. An Act levying a tax to pay claims arising under an act entitled, "An Act granting pensions to indigent and disabled Confederate Soldiers and the widows of

Confederate Soldiers, approved March 4, 1912, and to pay the expenses of the administration of such law.

H. B. 29. An Act to abolish fellow servant rule of law in this State.

H. B. 216. An Act to amend section 805 Kentucky Statutes.

H. B. 11. An Act prohibiting the purchase or having in possession a certificate of registration of any voter of this Commonwealth and providing a penalty therefor.

With an amendment thereto.

H. B. 81. An Act to amend the election laws of 1912.

H. B. 261. An Act to repeal, revise and re-enact sections 6, 8 and 9 of primary election law so that candidates will not be required to secure signatures of electors to petitions in order to get on ballot.

H. B. 229. An Act to amend chapter 75, of the acts of the General Assembly of 1912, assigning cities and towns of this Commonwealth to the class to which they belong.

Ordered that said bills be severally read the second time.

The provision of the Constitution as to the reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Said bills were ordered to be placed in the orders of the day.

Mr. John C. Duffy moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 224. An Act authorizing counties of this State to own and operate ferries.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1803, Chapter 49, Carroll's Edition of the Kentucky Statutes, be and the same is hereby amended by adding after the word "Purpose" at the end of the fourth line thereof the words "Or the county court may establish a ferry to be controlled and operated free by the Fiscal Court of the county wherein said ferry is established; and the County Court shall condemn land, not more than forty feet wide, for the use of said ferry as a landing, in the same manner as now provided by law in condemning land for public roads.

So that said section as amended will read as follows:

A ferry shall be established at the instance and for the benefit of the owner of the land on which it is located, or of some one who has obtained from the owner the privilege of using same for that purpose, or the County Court may establish a ferry to be controlled and operated free or otherwise by the Fiscal Court of the county wherein said ferry is established; and the county court shall condemn land, not more than forty feet wide, for the use of said ferry as a landing, in the same manner as now provided by law in condemning land for public roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	E. V. Hall	Harry J. Myers
Wallace Bailey	Elwood Hamilton	Zach. L. Myers
Geo. B. Barrett	W. L. Hampton	John E. Newman
Henry C. Blades	H. H. Harrington	C. B. Nichols
Joseph Boitnott	H. H. Hays	S. Mazyck O'Brien
C. W. Burton	Dr. S. L. Henry	A. W. Palmer
Glover H. Cary	D. H. Hillman	Lilburn Phelps
Benjamin L. Cox	J. J. Huff	John A. Polin
John W. Douglas	R.B.Hutchcraft Jr.	J. D. Pumphrey
John Drescher	J. M. Johnson	Dr. J. T. Poteet
H. C. Duffy	T. R. Jones	Richard Radcliffe
John C. Duffy	John H. Klette	Dr. W. R. Ray
William Duffy	William J. Kuh	L. M. Smith
G. P. Durrett	J. C. Lay	N. C. Tilford
Thomas J. Evans	Dr.J.N.M'Cormack	James T. Webb
Vert C. Fraser	Geo. M. McDowell	W. M. Webb
Frank C. Greene	John McDyer	John F. White
C. M. Gum	T. T. Mobley	N. B. White

—54

Those who voted in the negative were—

Elmer L. Brown	Griffin Kelly	Ed. D. Stone
James R. Dorman	Simon B. Lott	M. S. Walton, Jr.
Odie Duncan	J. R. Mount	J. D. Wills
John F. Fryer	A. W. Sharp	

—11

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate announcing that they had passed a bill entitled:

S. B. 3. An Act to amend and re-enact section 1309, Kentucky Statutes, Carroll's edition of 1909, relating to carrying concealed weapons.

Said bill was ordered to be printed and referred to the Committee on Kentucky Statutes.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 72. An Act to amend subsection two of section 3490, chapter 89, Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 2 of section 3490, chapter 89, of the Kentucky Statutes, be and the same is hereby amended by adding after the last word thereof, the following:

"Provided, however, that the limitation hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for the construction, improvement or acquisition of school buildings or property; and when such an indebtedness has been incurred, there may be levied in addition to the tax hereinbefore authorized an annual advalorem tax sufficient to pay the interest on such indebtedness, and also to constitute a sinking fund for the payment of the principal thereof; the provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created," so

that said subsection 2, when amended, shall read as follows:

"2. *Levy and collection of ad valorem taxes.* To levy and collect for municipal purposes an annual ad valorem tax not exceeding seventy-five cents on every hundred dollars of all property made taxable by law for State purposes, in addition not exceeding 50 cents on the hundred dollars worth of property taxable for State purposes, for the maintenance of public schools, or the erection of buildings for public school purposes; and not exceeding fifty cents to meet the principal and interest of any bonded debt hereinafter authorized; and not exceeding one dollar to meet the principal and interest on, and provide a sinking fund for the extinction of any bonded debt contracted before the adoption of the present constitution, provided no greater levy to pay such indebtedness be authoriezd by the laws existing at the time of the creation of such debt. Provided, however, that the limitation hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for the construction, improvement or acquisition of school buildings or property; and when such an indebtedness has been incurred, there may be levied in addition to the tax hereinbefore authorized, an annual ad valorem tax sufficient to pay the interest on such indebtedness, and also to constitute a sinking fund for the payment of the principal thereof; the provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created."

§ 2. Because of the insufficiency of the revenue that may be obtained for school purposes under the existing law, an emergency is declared to exist, and this act shall take effect from and after its approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Harry Avery	H. H. Harrington	A. W. Palmer
Wallace Bailey	H. H. Hays	Lilburn Phelps
Geo. B. Barrett	Dr. S. L. Henry	William A. Perry
H. C. Blades	D. H. Hillman	John A. Polin
Joseph Boitnott	J. J. Huff	Dr. T. J. Poteet
Elmer L. Brown	R.B.HutchcraftJr.	W. A. Price
C. W. Burton	J. M. Johnson	J. D. Pumphrey
Glover H. Cary	T. R. Jones	Richard Radcliffe
Ed. F. Cecil	Griffin Kelly	Dr. W. R. Ray
Benjamin L. Cox	John H. Klette	Stanley F. Reed
James R. Dorman	William J. Kuh	S. H. Rogers
John W. Douglas	C. R. Luker	S. M. Saufley
John Drescher	Dr.J.N.M'Cormack	A. W. Sharp
John C. Duffy	Geo. M. McDowell	W. A. Shawler
William Duffy	John McDyer	L. M. Smith
Odie Duncan	W. T. McNally	Ed. D. Stone
G. P. Durrett	John G. Miller, Jr.	W. T. Stott
Thomas J. Evans	T. T. Mobley	N. C. Tilford
John F. Fryer	J. R. Mount	M. S. Walton, Jr.
Frank C. Greene	Harry J. Myers	James T. Webb
C. M. Gum	Zach. L. Myers	W. M. Webb
E. V. Hall	John E. Newman	N. B. White
Elwood Hamilton	C. B. Nichols	J. D. Wills
W. L. Hampton	S. Mazyck O'Brien	Roy S. Wilson

—72

Resolved, That the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 161. An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Commonwealth of Kentucky may use and employ outside of the walls of the penitentiaries in such manner and means as may be provided by law, persons convicted of felony and sentenced to confinement in the penitentiary for the purpose of constructing, or reconstructing and maintaining public roads and public bridges or for the purpose of making and preparing material for public roads and bridges and that the Commonwealth of Kentucky may, by the use and employment of convict labor outside of the walls of the penitentiary or by other ways or means, as may be provided by law, aid the counties for road and bridge purposes.

§ 2. This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under section 256 of the Constitution of Kentucky, and under the provisions of the Act of May 12, 1897, same being section 1459 of the compilation of laws known and designated as Carroll's 1903 Edition of Kentucky Statutes.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Harry Avery	R. B. Hutchcraft Jr.	Lilburn Phelps
Geo. B. Barrett	Griffin Kelly	William A. Perry
Henry C. Blades	John H. Klette	John A. Polin
Elmer L. Brown	William J. Kuh	Dr. T. J. Poteet
C. W. Burton	J. C. Lay	W. A. Price
John W. Douglas	C. R. Luker	J. D. Pumphrey
John Drescher	Geo. M. McDowell	Richard Radcliffe
William Duffy	John McDyer	B. T. Rountree
Thomas J. Evans	W. T. McNally	A. W. Sharp
Vert C. Fraser	John G. Miller, Jr.	W. A. Shawler
John F. Fryer	Harry J. Myers	N. C. Tilford
H. H. Harrington	John E. Newman	N. B. White
W. E. Henninger	S. Mazyck O'Brien	Roy S. Wilson

—39

Those who voted in the negative were—

Wallace Bailey	W. L. Hampton	Dr. W. R. Ray
Joseph Boitnott	H. H. Hays	Stanley F. Reed
Glover H. Cary	Dr. S. L. Henry	S. H. Rogers
Ed. F. Cecil	D. H. Hillman	S. M. Saufley
Benjamin L. Cox	J. J. Huff	L. M. Smith
H. C. Duffy	J. M. Johnson	Ed. D. Stone
John C. Duffy	T. R. Jones	W. T. Stott
Odie Duncan	Simon B. Lott	M. S. Walton, Jr.
G. P. Durrett	Dr. J. N. M'Cormack	James T. Webb
M. J. Farris, Jr.	T. T. Mobley	W. M. Webb
Frank C. Greene	J. R. Mount	John F. White
C. M. Gum	Zach. L. Myers	J. D. Wills
E. V. Hall	C. B. Nichols	
Elwood Hamilton	A. W. Palmer	

—40

Mr. Walton moved to reconsider the vote by which said bill was rejected.

Mr. Hamilton moved that said motion be laid on the table.

The yeas and nays being required by Messrs. Hutchcraft and Green were as follows, viz.:

Those who voted in the affirmative were—

Wallace Bailey	H. H. Hays	A. W. Palmer
Henry C. Blades	Dr. S. L. Henry	Dr. W. R. Ray
Ed. F. Cecil	D. H. Hillman	Stanley F. Reed
Benjamin L. Cox	J. J. Huff	Ed. D. Stone
H. C. Duffy	J. M. Johnson	W. T. Stott
Frank C. Greene	T. R. Jones	James T. Webb
E. V. Hall	Simon B. Lott	W. M. Webb
Elwood Hamilton	Dr.J.N.M'Cormack	J. D. Wills
W. L. Hampton	T. T. Mobley	
H. H. Harrington	J. R. Mount	—28

Those who voted in the negative were—

Harry Avery	Thomas J. Evans	John G. Miller, Jr.
Geo. B. Barrett	M. J. Farris, Jr.	Harry J. Myers
Joseph Boitnott	Vert C. Fraser	Zach. L. Myers
Elmer L. Brown	John F. Fryer	John E. Newman
C. W. Burton	W. E. Henninger	C. B. Nichols
Glover H. Cary	R.B.Hutchcraft Jr.	S. Mazyck O'Brien
James R. Dorman	Griffin Kelly	Lilburn Phelps
John W. Douglas	John H. Klette	William A. Perry
John Drescher	J. C. Lay	John A. Polin
John C. Duffy	C. R. Luker	Dr. T. J. Potect
William Duffy	Geo. M. McDowell	W. A. Price
Odie Duncan	John McDyer	J. D. Pumphrey
G. P. Durrett	W. T. McNally	Richard Radcliffe

B. T. Rountree	L. M. Smith	N. B. White
S. M. Saufley	N. C. Tilford	Roy S. Wilson
A. W. Sharp	M. S. Walton, Jr.	
W. A. Shawler	John F. White	—49

And so said motion to table was disagreed to.

Said motion to reconsider vote by which said bill was rejected was agreed to.

Mr. Walton moved to reconsider the third reading of said bill.

Said motion was agreed to.

Mr. H. J. Meyers moved that said bill be recommitted to the Committee on Constitutional Amendments with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 27. An Act creating a State Text Book Commission to adopt for use in the common schols of Kentucky a uniform series of text books, regulating the price thereof, defining the powers and duties of said commission and the method of selection of such text books and their distribution, prescribing penalties for the violation of this act, and repealing chapter 13, of the acts of the General Assembly of Kentucky, approved March 15, 1910.

Mr. John C. Duffy moved that said bill be recommitted to the Committee on Education No. 2, with leave to report at any time.

Said motion was agreed to.

Mr. Drescher moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 3, 1914.

The House was opened with prayed by the Rev. Robert L. Cowan, of the Southern Presbyterian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative districts bills were introduced, ordered printed, and referred as follows:

By Mr. Kelly:

H. B. 392. An Act to amend sections 4464, 4464a, 4480, 4482, Article 10, Kentucky Statutes, Carroll's edition 1909, and repealing section 4464b thereof, and amending said Article 10, of said Statutes, relating to schools by adding thereto section 4500b.

To Committee on Education No. 1.

By Mr. Wilson:

H. B. 393. An Act to provide for a biennial census of school children and fixing the ages of school children in the common schools of Kentucky.

To Committee on Education No. 1.

By Mr. Spahn:

H. B. 394. An Act to prevent the production of pictures from proofs belonging to a person other than the one producing the picture without the written consent of the person to whom the negative belongs.

To Committee on Commerce and Manufacturing.

By Mr. Saufley:

H. B. 395. An Act to provide means whereby the Commonwealth of Kentucky may aid the counties in the improvement of their public roads.

To Committee on Public Roads and Highways.

By Same:

H. B. 396. An Act to amend chapter 89 of the Kentucky Statutes relating to the government of cities of the fifth class.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Miller:

H. B. 397. An Act to amend section 194 of the Civil Code and relating to attachments.

To Committee on Codes of Practice.

By Mr. Hillman:

H. B. 398. An Act to amend section 181 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Palmer:

H. B. 399. An Act to control the sale of diseased plants, to prevent the dissemination of noxious insects and fungi.

To Committee on Agriculture.

By Mr. Polin:

H. B. 400. An Act to amend section 1, subdivision 4, article 12, chapter 22, of act of the General Assembly of 1906, being an act relating to revenue and taxation, which same is now section 4224 of the Kentucky Statutes.

To Committee on Revenue and Taxation.

By Mr. Henry:

H. B. 401. An Act to amend section 3624 of Kentucky Statutes.

To Committee on Cities of the Fifth and Sixth Class.

Mr. Nichols offered the following resolutions, viz.:

"Annual Meeting, Lexington, Ky., January 8, 1914.

"*Resolved*: That the Kentucky State Horticultural Society heartily endorses the work done under Governor McCreary, and others at Frankfort, in beautifying the Capitol grounds by planting about them the native trees and shrubs of Kentucky; and

"*Resolved*: Further, That we recommend that a bill be presented in the General Assembly now in session providing for maintaining the arboretum now established and in further improving it.

(Signed)

W. H. CLAYTON,
W. W. FARNSWORTH,
Committee.
C. W. MATHEWS, Secretary.

"Annual Meeting Kentucky State
Horticultural Society;
January 8, 1914.

"Whereas, the fruit growers suffer great loss and disappointment from planting trees of inferior quality or untrue to label, therefore,

Be it resolved, That we indorse the bill about to be introduced, regulating the sale of nursery stock in Kentucky.

(Signed)

W. H. CLAYTON,
W. W. FARNSWORTH,
Committee.
C. W. MATHEWS, Secretary.

"Whereas, the work of the State Entomologist has been handicapped by his inability to inspect premises adjoining nurseries; therefore,

Be it resolved, That we ask the Legislature to so amend existing laws that he may have due authority to inspect all

premises in dangerous proximity to said nurseries, and be given the power to exercise due remedial measures thereon.

(Signed)
W. H. CLAYTON,
W. W. FARNSWORTH,
Committee.
C. W. MATHEWS, Secretary.

"*Resolved,* That the Kentucky State Horticultural Society heartily endorses the movement for a representation of the horticultural products of Kentucky at the Panama-Pacific Exposition at San Francisco in 1915, and hereby requests of the State Legislature a suitable appropriation for making a creditable exhibit.

(Signed)
H. J. REED,
L. E. HILLENMEYER,
MRS. J. M. GARRETT,
C. W. MATHEWS, Secretary.

"Annual Meeting, Henderson, Ky., January 24, 1913."

Which said several resolutions were received, read, and referred to the Committee on Agriculture.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Farris, of the Committee on Agriculture:

H. B. 274. An Act authorizing rewards for killing chicken hawks.

By Mr. Burton, of the Committee on Circuit Courts.

H. B. 202. An Act authorizing Jailers to execute a capias pro fine.

By Same:

H. B. 192. An Act to change the time of Circuit Courts in the County of Cumberland in the 29th Judicial District.

By Same:

H. B. 47. An Act to change the court calendar of the 13th Judicial District.

With an amendment by the Committee.

By Same:

H. B. 199. An Act permitting struck juries to sit in civil cases and setting out manner of selection.

By Same:

H. B. 320. An Act changing the times for the sessions of circuit courts of the Fourteenth Judicial District.

By Mr. McDyer, of the Committee on Public Roads and Highways:

H. B. 196. An Act to create and establish a system of public State Roads and to provide for the construction and maintenance thereof.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Kelly, of the Committee on Public Ditches and Fences:

H. B. 183. An Act relating to the establishment, protecting and building of levees for the public benefit.

By Mr. J. T. Webb, of the Committee on Suffrage and Elections:

H. B. 163. An Act providing the time and manner of electing United States Senators.

By Same:

H. B. 76. An Act to amend an act entitled, An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at General Elections and prescribing penalties for the violation thereof, which act became a law March 5, 1912.

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

S. B. 14. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law and providing for the payment thereof.

By Same:

H. B. 279. An Act fixing the amount of the bonds of the Wardens of the Kentucky Penitentiary at Eddyville, and of

the Kentucky Reformatory at Frankfort, Kentucky, and of the deputy Wardens thereof.

By Mr. Johnson, of the Committee on Public Warehouses and Granaries:

H. B. 189. An Act to repeal an act entitled, An Act relating to weights, measures and balances and the appointment of an inspector of weights and measures for counties, being chapter 90, Acts 1912.

By Mr. Mount, of the Committee on Railroads:

H. B. 74. An Act forbidding the use or acceptance of free or reduced rate transportation by public officials and their families and forbidding the furnishing to such officials or their families of such transportation by common carrier.

With amendment thereto by way of substitute therefor

Ordered that said substitute be printed.

By Mr. Hutchcraft, of the Committee on Banks and Banking:

H. B. 82. An Act to punish derogatory statements affecting any bank, savings bank or trust company.

With amendments thereto.

By Same:

H. B. 73. An Act to amend and re-enact sections 579 and 584 Kentucky Statutes, Carroll's edition 1909, so that the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

With amendment thereto by way of substitute therefor.

Said bills were severally read the first time at length and ordered to be placed upon the calendar.

The committees to which the same had been referred reported bills of the following titles with the expression of opinion that said bills ought not to pass.

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 337. An Act to amend and re-enact section 6 of an act passed by the General Assembly of Kentucky in the year of 1910, being entitled, An Act to provide for the holding of Circuit Courts and the trial of cases therein when from any cause the Judge shall fail to attend, or if in attendance cannot properly preside, same act recorded on pages 20 to 22 inclusive of the acts of 1910, so as to reduce the salary of special Judges from $1,200 a year to $500 a year.

By Mr. Mount, of the Committee on Railroads.

H. B. 35. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling of railroads within the boundary of this State in part or in whole.

The question being taken on ordering said bills to a reading, the opinion of the committees to the contrary notwithstanding it was decided in the negative.

And so said bills were rejected.

A message was received from the Senate announcing that they had concurred in House amendments and had passed Senate bill as amended, of the following title, viz.:

S. B. 1. An Act entitled an act to amend section 1 of an act entitled, An Act requiring fiscal courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings and prescribing penalties for failure to perform such duties, approved March 21, 1910.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 175. An Act for the protection of game and fish, providing for non-resident fishing and trapping license and repealing certain sections thereof Carroll's 1909 edition of the Kentucky Statutes, approved March 22, 1910.

Mr. Hutchcraft moved that House bills Nos. 174 and 175 together with all pending amendments thereto be recommitted to the Committee on Fish and Game with leave to report at any time on Tuesday, February 10th, 1914.

Said motion was agreed to.

A message was received from the Governor as follows, viz.:

Frankfort, Kentucky, February 3, 1914.

To the House of Representatives of Kentucky:

I will have a reception at the Governor's Mansion this Tuesday evening, February third, 1914, and will be pleased to meet all the Representatives, officers and appointees of

the House of Representatives who will do me the honor to be present.

Respectfully,

JAMES B. MCCREARY,

Governor,

Mr. Polin moved that the Governor's invitation be accepted.

Said motion was unanimously agreed to.

The House took up for consideration as the special order of the day, a bill entitled:

H. B. 1. An Act empowering Boards of Trustees of all common graded schools, created by the vote of the people, operating in this State, to levy and collect an annual tax for the maintenance, operating and support of the graded schools in their respective districts.

Mr. James T. Webb moved to postpone the consideration of said special order for one week, and that the same be made the special order on Tuesday next, February 10th, 1914, at 11:30 A. M.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 150. An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial thereof, and providing what shall be a defense.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person who shall procure a female inmate for a house of prostitution, or who by promises, threats, violence, or by any device or scheme, shall cause, induce, persuade or encourage a female person to become an inmate of a house of prostitution, or shall procure a place as inmate in a house of prostitution for a female person, or any person who by promises, threats, violence, or by any device or scheme shall cause, induce, persuade or encourage an inmate of a house of prostitution to remain therein as such inmate, any person, male or female, who, by promises, threats, violence or scheme, shall cause, induce, persuade, or encourage any female to stay or reside with said male person or with any other person for immoral purposes or for purposes of prostitution; or any person who by promises, threats, violence, or by any device or scheme, or by fraud or artifice, or by duress or person or goods, or by abuse of any position of confidence or authority, shall procure any female person to become an inmate of a house of ill-fame, or to enter any place in which prostitution is encouraged or allowed within this State, or to come into this State or leave this State for the purpose of prostitution; or any person who shall receive or give any money or thing of value, for procuring or attempting to procure any female person to become an inmate of a house of ill-fame within this State, or to come into this State or leave this State for the purpose of prostitution; or any person who shall keep, hold or detain, or attempt to keep, hold or detain any female person in a house of prostitution because of any debts she has contracted, or is said to have contracted, shall be guilty of pandering, and upon a first conviction for an offense under this act shall be punished by imprisonment in the county jail for a period of not less than six months nor more than two years, and by a fine of not less than five hundred dollars and not to exceed five thou-

sand dollars, and upon conviction for any subsequent offense under this act shall be punished by imprisonment in the penitentiary for a period of not less than one nor more than ten years.

§ 2. It shall not be a defense to a prostitution for any of the acts prohibited in the foregoing section that any part of such act or acts shall have been committed outside of this State, and the offense shall in such cases be deemed to have been committed and the offender tried and punished in any county in which the prostitution was intended to be practiced, or in which the offense was consummated, or any overt act in furtherance of the offense shall have been committed.

§ 3. Any such female person referred to in the foregoing sections shall be a competent witness in any prosecution under this act to testify for or against the accused as to any transaction, or as to any conversation with the accused or by him with another person or persons in her presence, notwithstanding her having married the accused before or after the violation of any of the provisions of this act, whether called as a witness during the existence of the marriage or after its dissolution.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Harry Avery	H. H. Harrington	A. W. Palmer
James W. Barrall	H. H. Hays	Lilburn Phelps
Géo. B. Barrett	W. E. Henninger	William A. Perry
J. M. Billeter	Dr. S. L. Henry	John A. Polin
Henry C. Blades	D. H. Hillman	Dr. T. J. Poteet
Joseph Boitnott	J. J. Huff	W. A. Price
Elmer L. Brown	R.B.Hutchcraft Jr.	J. D. Pumphrey
C. W. Burton	J. M. Johnson	Richard Radcliffe
Ed. F. Cecil	T. R. Jones	Dr. W. R. Ray
J. G. Coke, Jr.	Griffin Kelly	Stanley F. Reed
Benjamin L. Cox	John H. Klette	S. H. Rogers
James R. Dorman	J. C. Lay	B. T. Rountree
John W. Douglas	Simon B. Lott	S. M. Saufley
John Drescher	C. R. Luker	A. W. Sharp
H. C. Duffy	Dr.J.N.M'Cormack	W. A. Shawler
William Duffy	Geo. M. McDowell	L. M. Smith
Odie Duncan	John McDyer	Adam Spahn
G. P. Durrett	W. T. McNally	Ed. D. Stone
Thomas J. Evans	John G. Miller, Jr.	W. T. Stott
Vert C Fraser	T. T. Mobley	N. C. Tilford
Ed Frost	J. R. Mount	M. S. Walton, Jr.
Frank C. Greene	Zach. L. Myers	James T. Webb
C. M. Gum	Harry J. Myers	N. B. White
E. V. Hall	John E. Newman	M. O. Wilson
Elwood Hamilton	C. B. Nichols	Roy S. Wilson
W. L. Hampton	S. Mazyck O'Brien	Douglas G. Wood

—79

Resolved, That the title thereof be as aforesaid.

Mr. Walton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 134. An Act to punish the making or use of false statements to obtain property or credit, and making certain offenders personally liable.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself, or any other person, firm or corporation, in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange, or promissory note, for the benefit of either himself or of such person, firm or corporation; or

(2.) Who knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procures, upon the faith thereof, for the benefit either of himself, or of such person, firm or corporation, either of any of the things of benefit mentioned in the first paragraph of this section; or

(3.) Who, knowing that a statement in writing has been made, respecting the financial condition or means or ability to pay of himself or such person, firm or corporation, in which he is interested, or for whom he is acting, represents on a later day, either orally or in writing, that such statement therefore made, if then again made on said day, would be then true, when in fact, said statement if then made would be false, and procures upon the faith thereof, for the benefit either of

himself or of such person, firm or corporation, either or any of the things of benefit mentioned in the first paragraph of this section, shall be guilty of a felony, and upon conviction thereof shall be confined in the penitentiary for not less than one nor more than five years.

§ 2. Be it further enacted that any person, an officer or agent of any corporation, or the agent or any person or firm who shall commit any one or all of the acts prohibited by section one of this act, shall be personally liable to any person, firm or corporation who shall suffer loss or damage thereby, for the full amount of such loss or damage, and this shall not operate to release or relieve such corporation, or the principal of such agent from liability for the act or acts of such officer or agent, but such officer or agent and the corporation, person or firm for whom he has acted in the premises shall both be jointly and severally liable therefor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were--

Harry Avery	Ed. F. Cecil	G. P. Durrett
James W. Barrall	J. G. Coke, Jr.	Thomas J. Evans
Geo. B. Barrett	Benjamin L. Cox	M. J. Farris, Jr.
J. M. Billeter	John W. Douglas	Vert C. Fraser
Henry C. Blades	John Drescher	Ed Frost
Joseph Boitnott	H. C. Duffy	John F. Fryer
Elmer L. Brown	William Duffy	Frank C. Greene
C. W. Burton	Odie Duncan	C. M. Gum

E. V. Hall	Geo. M. McDowell	Richard Radcliffe
Elwood Hamilton	John McDyer	Dr. W. R. Ray
W. L. Hampton	W. T. McNally	Stanley F. Reed
H. H. Harrington	John G. Miller, Jr.	S. H. Rogers
H. H. Hays	T. T. Mobley	B. T. Rountree
W. E. Henninger	J. R. Mount	S. M. Saufley
Dr. S. L. Henry	Harry J. Myers	W. A. Shawler
D. H. Hillman	Zach. L. Myers	L. M. Smith
J. J. Huff	John E. Newman	Adam Spahn
R.B.Hutchcraft Jr.	C. B. Nichols	Ed. D. Stone
J. M. Johnson	S. Mazyck O'Brien	W. T. Stott
T. R. Jones	A. W. Palmer	N. C. Tilford
John H. Klette	Lilburn Phelps	N. B. White
William J. Kuh	William A. Perry	J. D. Wills
J. C. Lay	John A. Polin	M. O. Wilson
Simon B. Lott	Dr. T. J. Poteet	Roy S. Wilson
C. R. Luker	W. A. Price	
Dr.J.N.M'Cormack	J. D. Pumphrey	—76

Those who voted in the negative were—

James T. Webb —1

Resolved, That the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 198. An act permitting any sheriff to take a replevin bond in satisfaction of a capias pro fine.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any sheriff of this Commonwealth is authorized to make a replevin bond in satisfaction of a capias pro fine in the same manner as he is authorized to take a replevin bond in satisfaction of an execution.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Contitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	G. P. Durrett	J. M. Johnson
James W. Barrall	Thomas J. Evans	T. R. Jones
Geo. B. Barrett	Vert C. Fraser	Griffin Kelly
J. M. Billeter	Ed Frost	John H. Klette
Henry C. Blades	John F. Fryer	William J. Kuh
Joseph Boitnott	Frank C. Greene	J. C. Lay
Elmer L. Brown	C. M. Gum	Simon B. Lott
C. W. Burton	E. V. Hall	C. R. Luker
Ed. F. Cecil	Elwood Hamilton	Dr.J.N.M'Cormack
J. G. Coke, Jr.	W. L. Hampton	Geo. M. McDowell
Benjamin L. Cox	H. H. Harrington	John McDyer
John W. Douglas	H. H. Hays	W. T. McNally
John Drescher	W. E. Henninger	John G. Miller, Jr.
H. C. Duffy	Dr. S. L. Henry	T. T. Mobley
John C. Duffy	D. H. Hillman	J. R. Mount
William Duffy	J. J. Huff	Harry J. Myers
Odie Duncan	R.B.Hutchcraft Jr.	Zach. L. Myers

John E. Newman	J. D. Pumphrey	Adam Spahn
C. B. Nichols	Richard Radcliffe	Ed. D. Stone
S. Mazyck O'Brien	Dr. W. R. Ray	W. T. Stott
A. W. Palmer	Stanley F. Reed	James T. Webb
William A. Perry	S. H. Rogers	N. B. White
Lilburn Phelps	B. T. Rountree	J. D. Wills
John A. Polin	S. M. Saufley	M. O. Wilson
Dr. T. J. Poteet	A. W. Sharp	Roy S. Wilson
W. A. Price	W. A. Shawler	Douglas G. Wood

—78

Resolved, That the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 265. An act to amend subsection two of Section 8 of an act of the Commonwealth of Kentucky entitled, An Act relating to Husband and Wife and entitled Husband and Wife, approved May 16, 1893, being Chapter 205, session acts of the Legislature of Kentucky, 1893, and also being subsection 2 of Section 2103, Kentucky Statutes, 1909, John D. Carroll's edition.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-section second of Section 8 of an Act of the Commonwealth of Kentucky, entitled, An Act relating to husband and wife, and entitled Husband and Wife, approved May 16th, 1893, being Chapter 205, Session Acts of the Legis-

lature of Kentucky, 1893, and also being sub-section 2, of Section 2103, of the Kentucky Statutes, 1909, John D. Carroll's Edition, be and is hereby amended by adding or inserting the word Governor in or to said subsection of said Section 8, so that said section as amended shall read as follows:

§ 8. Marriage shall be solemnized by the following persons only.

First—Ministers of the gospel or priests of any denomination, in regular communion with any religious society.

Second—Judges of the County Court, and such justices of the peace as the Governor of the State or the County Court may authorize.

Third—Or, where either party belongs to a religious society having no afficiating priest or minister, whose usuage is to solemnize marriage at the usual place of worship, and by consent given in the presence of the society, it may be so solemnized.

§ 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Mr. Luker offered the following amendment to said bill, viz.:

Amend by striking out the words "such" and "as the Governor of the State or the County Court may authorize" in line 12 and 13 of Section 8. So that said lines shall read thus: "Judges of the County Court and Justices of the Peace."

Said amendment was adopted.

Ordered that said bill, as amended, be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read

the third time by its title and passed with the aforesaid amendment.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	W. L. Hampton	S. Mazyck O'Brien
James W. Barrall	H. H. Harrington	A. W. Palmer
Geo. B. Barrett	H. H. Hays	William A. Perry
J. M. Billeter	W. E. Henninger	Dr. T. J. Poteet
Henry C. Blades	Dr. S. L. Henry	W. A. Price
Joseph Boitnott	D. H. Hillman	J. D. Pumphrey
Elmer L. Brown	J. J. Huff	Richard Radcliffe
C. W. Burton	R.B.Hutchcraft Jr.	Dr. W. R. Ray
Ed. F. Cecil	J. M. Johnson	S. H. Rogers
J. G. Coke, Jr.	T. R. Jones	B. T. Rountree
Benjamin L. Cox	Griffin Kelly	S. M. Saufley
James R. Dorman	John H. Klette	A. W. Sharp
John W. Douglas	William J. Kuh	W. A. Shawler
John Drescher	Simon B. Lott	L. M. Smith
H. C. Duffy	C. R. Luker	Adam Spahn
John C. Duffy	Dr.J.N.M'Cormack	Ed. D. Stone
William Duffy	Geo. M. McDowell	W. T. Stott
Odie Duncan	John McDyer	James T. Webb
G. P. Durrett	W. T. McNally	W. M. Webb
Ed Frost	T. T. Mobley	N. B. White
John F. Fryer	J. R. Mount	J. D. Wills
Frank C. Greene	Harry J. Myers	M. O. Wilson
C. M. Gum	Zach. L. Myers	Roy S. Wilson
E. V. Hall	John E. Newman	Douglas G. Wood
Elwood Hamilton	C. B. Nichols	—74

Resolved, That the title thereof be as aforesaid.

Mr. Price moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 57. An Act relating to the drainage of lands, the duties of the owners thereof through which ditches, drains, creeks or non-navigable streams pass, prescribing the method of procedure the assessment and collection of the cost and expense thereof and prescribing the duties of officers relative thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the owner of land through which a non-navigable stream of water has its natural outlet, or through which ditches or drains have been constructed and other ditches have their outlet, shall keep the same free from such logs, drift-wood, sediment or trash of any kind which may lodge therein and which will stop the free flow of water therethrough.

§ 2. It shall be the duty of the County Engineer to inspect such non-navigable streams, ditches and drains and to see that the same are free from any and all obstructions which will stop the free flow of water therethrough, and upon finding that any obstructions exist, it shall be the duty of the County Engineer, or one of his deputies or ditch inspectors, to notify the owner of the land abutting on said non-navigable stream, ditch or drain, in writing, to remove such obstructions or to open such ditches.

§ 3. It shall be the duty of the County Engineer to proceed to remove or have removed such obstruction, if the same shall not have been attended to by the owner or owners of the property abutting on said non-navigable stream, ditch or

drain within sixty days after having been notified by said County Engineer, and that the same shall be reopened or cleaned out and the obstructions removed therefrom in the same manner as road work is done in said county. The county Engineer or his deputies who supervise said work shall keep an accurate account of the cost of removing such obstruction or reopening or cleaning such non-navigable streams, ditches and drains, and said charge shall be against the owner or owners of said lands and be a lien upon the same and shall be added to the tax bill next due to the county for the reimbursement of the county for its expenses for the work above provided for.

All acts or parts of acts in conflict herewith are hereby repealed.

The Committee on Public Ditches and Fences offered the following amendment to said bill, viz.:

Amend Section 1 by inserting after the word "and" in counties having a population of more than two hundred and fifty thousand, so that Section 1 will read as follows when amended:

"That the owner of land in counties containing more than two hundred and fifty thousand population through which a non-navigable stream of water has its natural outlet or through which ditches or drains have been constructed and other ditches have their outlet shall keep same free from logs, drift wood or sediment or trash of any kind which may be lodged therein and which will stop the free flow of water there through."

Said amendment was adopted.

Ordered that said bill as amended be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed with the aforesaid amendment.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

James W. Barrall	H. H. Harrington	S. Mazyck O'Brien
Geo. B. Barrett	H. H. Hays	A. W. Palmer
Henry C. Blades	W. E. Henninger	Lilburn Phelps
Joseph Boitnott	Dr. S. L. Henry	William A. Perry
Elmer L. Brown	D. H. Hillman	Dr. T. J. Poteet
Ed. F. Cecil	J. J. Huff	J. D. Pumphrey
J. G. Coke, Jr.	R.B.Hutchcraft Jr.	Dr. W. R. Ray
Benjamin L. Cox	J. M. Johnson	Stanley F. Reed
James R. Dorman	T. R. Jones	S. H. Rogers
John W. Douglas	Griffin Kelly	S. M. Saufley
John Drescher	John H. Klette	A. W. Sharp
H. C. Duffy	William J. Kuh	W. A. Shawler
John C. Duffy	Simon B. Lott	L. M. Smith
William Duffy	C. R. Luker	Ed. D. Stone
Odie Duncan	Dr.J.N.M'Cormack	W. T. Stott
G. P. Durrett	Geo. M. McDowell	N. C. Tilford
Thomas J. Evans	John McDyer	M. S. Walton, Jr.
Vert C. Fraser	W. T. McNally	James T. Webb
Ed Frost	T. T. Mobley	W. M. Webb
John F. Fryer	J. R. Mount	J. D. Wills
C. M. Gum	Harry J. Myers	M. O. Wilson
E. V. Hall	John E. Newman	Roy S. Wilson
W. L. Hampton	C. B. Nichols	Douglas G. Wood

—69

Resolved, That the title thereof be as aforesaid.

Mr. Drescher moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 208. An act to reduce the compensation of the members of the General Assembly of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The members of the upper house of the General Assembly (The Senate) shall severally receive from the State Treasurer compensation for their services, of Five Dollars per day during their attendance on and ten cents per mile for the necessary travel in going to and returning from the sessions of the General Assembly.

§ 2. The members of the lower house (House of Representatives) shall receive the same compensation as found in section one above, for their services during their attendance on the sessions of the General Assembly.

§ 3. President of the Senate and the Speaker of the House of Representatives shall each receive Ten Dollars per day while attending upon the sessions of their separate bodies.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Saufley offered the following amendment to said bill, viz.:

Amend section one of the bill, line 4, by striking out the words "ten cents per mile" and inserting in lieu thereof the words "actual traveling expenses."

Mr. Hamilton moved to lay said amendment on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Saufley and Mount, were as follows, viz.:

Those who voted in the affirmative were—

James W. Barrall
Geo. B. Barrett
Henry C. Blades
Joseph Boitnott
Elmer L. Brown
Ed. F. Cecil
J. G. Coke, Jr.
Benjamin L. Cox
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
G. P. Durrett
Thomas J. Evans
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
H. H. Harrington
H. H. Hays
Dr. S. L. Henry
J. J. Huff
T. R. Jones
Griffin Kelly
John H. Klette
J. C. Lay
Simon B. Lott
C. R. Luker
Dr. J.N.M'Cormack
Geo. M. McDowell
John McDyer
John G. Miller, Jr.
T. T. Mobley
Harry J. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. W. Palmer
William A. Perry
John A. Polin
Dr. T. J. Poteet
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
B. T. Rountree
A. W. Sharp
W. A. Shawler
Ed. D. Stone
W. T. Stott
N. C. Tilford
M. S. Walton, Jr.
W. M. Webb
M. O. Wilson
Roy S. Wilson
Douglas G. Wood

—61

Those who voted in the negative were—

Harry Avery	W. T. McNally	S. M. Saufley	
M. J. Farris, Jr.	J. R. Mount	L. M. Smith	
W. E. Henninger	Zach. L. Myers	James T. Webb	
D. H. Hillman	W. A. Price	J. D. Wills	
R. B. Hutchcraft Jr.	Stanley F. Reed		
J. M. Johnson	S. H. Rogers		—16

And so said bill and amendment were rejected.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 133. An act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or casualties in Kentucky, and not incorporated under the laws of said State, but licensed to write such insurance therein, through legally licensed agents of said companies under the laws of said State and residing therein, prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage, or casualties in companies not legally licensed to write such insurance in said State, fixing the venue of prosecution for the violation of certain sections thereof and providing certain penalties.

Mr. Roy S. Wilson moved that said bill be recommitted to the Committee on Insurance, Fire and Marine, with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 58. An act to amend Section 11, An Act relating to husband and wife and entitled Husband and Wife, approved May 16, 1893, Kentucky Statutes, Section 2106.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section Eleven (11) of an Act entitled: "An Act relating to Husband and Wife," and entitled: "Husband and Wife," (Section 2106, Kentucky Statutes) be amended by striking out the words, if either of the parties be under twenty-one years of age, in lines one and two, and adding the following words: If the male party be under twenty-one years of age and not before married, or the female party be under eighteen years of age, so that said section as amended and re-enacted shall read as follows: If the male party be under twenty-one years of age and not before married or the female party be under eighteen years of age and not before married no license shall issue without the consent of his or her father or guardian, or, if there is none, or he is absent from the State, without the consent of his or her mother, personally given, or certified in writing to the clerk over his or her signature, attested by two subscribing witnesses, and proved by the oath of one of them, administered by the clerk.

Where the parties are personally unknown to the clerk, a license shall not issue until bond, with good surety, in the penalty of one hundred dollars, is given to the Commonwealth, with condition that there is no lawful cause to obstruct the marriage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected:

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	R.B.Hutchcraft Jr.	S. Mazyck O'Brien
Harry Avery	J. M. Johnson	William A. Perry
Elmer L. Brown	William J. Kuh	W. A. Price
William Duffy	J. C. Lay	J. D. Pumphrey
Thomas J. Evans	C. R. Luker	Richard Radcliffe
Ed. Frost	Dr.J.N.M'Cormack	S. H. Rogers
John F. Fryer	John McDyer	S. M. Saufley
Frank C. Green	W. T. McNally	Adam Spahn
Elwood Hamilton	Harry J. Myers	James T. Webb
H. H. Harrington	Zach. L. Myers	
Dr. S. L. Henry	John E. Newman	—31

Those who voted in the negative were—

James W. Barrall	W. E. Henninger	Stanley F. Reed
J. M. Billeter	D. H. Hillman	B. T. Rountree
Henry C. Blades	J. J. Huff	A. W. Sharp
Joseph Boitnott	T. R. Jones	W. A. Shawler
Ed. F. Cecil	Griffin Kelly	L. M. Smith
J. G. Coke, Jr.	John H. Klette	Ed. D. Stone
Benjamin L. Cox	Simon B. Lott	W. T. Stott
James R. Dorman	Geo. M. McDowell	N. C. Tilford
John W. Douglas	John G. Miller, Jr.	M. S. Walton, Jr.
H. C. Duffy	T. T. Mobley	W. M. Webb
Odie Duncan-	J. R. Mount	N. B. White
G. P. Durrett	C. B. Nichols	J. D. Wills
Vert C Fraser	A. W. Palmer	M. O. Wilson
C. M. Gum	Lilburn Phelps	Roy S. Wilson
E. V. Hall	John A. Polin	Douglas G. Wood
W. L. Hampton	Dr. T. J. Poteet	
H. H. Hays	Dr. W. R. Ray	—49

And so said bill was rejected.

Mr. Ray moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Harry J. Meyers offered the following resolution, viz.:

Whereas, this is the 14th anniversary of the death of the late Governor William Goebel, therefore,

Be It Resolved, That when the House adjourn today it shall be out of respect to the memory of Governor Goebel.

Said resolution was adopted.

The Speaker laid before the House the resignation of James E. Stone, Chief Clerk of the House of Representatives, which reads as follows, viz.:

Frankfort, Ky., February 2, 1914.

The House of Representatives:

Gentlemen:—Because of the fact that I have been appointed to a position under the Federal Government and have accepted same, I hereby tender my resignation as Chief Clerk of the House of Representatives.

It is a matter of great regret on my part and nothing less than the call of duty to those dependant upon me and whom I love, could induce me to sever the official relation between this House and myself. You have been very kind to me and especially am I grateful for your many evidences of great indulgence and marked partiality.

With assurances of my very highest regard for each and all, I am,

Very truly,

James E. Stone.

Mr. Hamilton moved that the said resignation of James E. Stone be accepted.

Said motion was agreed to.

The Speaker then announced that the election of a Chief Clerk of this House was in order.

Mr. Hamilton named Eli Berry, of the City of Owensboro, Kentucky, as a suitable person to fill said office of Chief Clerk, made vacant by the resignation of said Stone.

Mr. McCormack seconded the nomination of Eli Berry.

Mr. Hamilton moved that nominations be closed.

Said motion was agreed to.

Mr. Hamilton moved that the Speaker be directed to cast the unanimous vote of the members of this House for the said Eli Berry for Chief Clerk.

Said motion was agreed to and the vote was cast as follows:

Those who voted for Mr. Berry were:

Peter Ampler	Glover H. Cary	William Duffy
Harry Avery	Ed. F. Cecil	Odie Duncan
Wallace Bailey	J. G. Coke, Jr.	G. P. Durrett
James W. Barrall	Benjamin L. Cox	Thomas J. Evans
Geo. B. Barrett	George T. Davis	M. J. Farris, Jr.
J. M. Billeter	James R. Dorman	W. N. Flippin
Henry C. Blades	John W. Douglas	Vert C. Fraser
Joseph Boitnott	John Drescher	Ed Frost
Elmer L. Brown	H. C. Duffy	John F. Fryer
C. W. Burton	John C. Duffy	Frank C. Greene

C. M. Gum	Geo. M. McDowell	S. H. Rogers
E. V. Hall	John McDyer	W. E. Rogers
Elwood Hamilton	W. T. McNally	B. T. Rountree
W. L. Hampton	John G. Miller, Jr.	S. M. Saufley
V. D. Hammond	T. T. Mobley	A. W. Sharp
H. H. Harrington	J. R. Mount	W. A. Shawler
J. B. Harvey	Harry J. Myers	L. M. Smith
W. B. Harvey	Zach. L. Myers	Adam Spahn
H. H. Hays	John E. Newman	Ed. D. Stone
W. E. Henninger	C. B. Nichols	W. T. Stott
Dr. S. L. Henry	S. Mazyck O'Brien	Louis Tieman
D. H. Hillman	A. J. Oliver	N. C. Tilford
J. J. Huff	A. W. Palmer	M. S. Walton, Jr.
R.B.Hutchcraft Jr.	Lyman G. Parrigin	James T. Webb
J. M. Johnson	Lilburn Phelps	W. M. Webb
T. R. Jones	William A. Perry	John F. White
Griffin Kelly	John A. Polin	N. B. White
John H. Klette	Dr. T. J. Poteet	J. D. Wills
William J. Kuh	W. A. Price	M. O. Wilson
J. C. Lay	J. D. Pumphrey	Roy S. Wilson
Simon B. Lott	Richard Radcliffe	Douglas G. Wood
C. R. Luker	Dr. W. R. Ray	Claude B. Terrell
Dr.J.N.M'Cormack	Stanley F. Reed	—98

Mr. Eli Berry was then declared duly elected Chief Clerk of the House of Representatives and appeared before the Bar of the House and took the oath of office as required by the Constitution and laws of Kentucky, which was administered by the Speaker of the House.

Mr. Walton moved that the Speaker appoint a Committee of three members of this House to prepare suitable resolutions upon the resignation of James E. Stone, and the efficient services rendered by said Stone as Chief Clerk of this House.

Said motion was agreed to.

The Speaker, in accordance with said motion, appointed the following named persons as such committee, viz.:

Messrs. Matt S. Walton, Adam Spahn and J. N. McCormack.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 94. An Act to regulate lobbyists and lobbying.

Mr. Phelps moved that said bill be made the special order for tomorrow (Wednesday) at 11:30 o'clock A. M.

Said motion was disagreed to.

Mr. John C. Duffy moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 4, 1914.

The House was opened with prayer by the Rev. Robert L. Cowan, of the Southern Presbyterian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts bills were introduced, ordered printed, and referred as follows:

By Mr. Henninger:

H. B. 402. An Act to repeal the public drinking cup law.

To Committee on Public Health.

By Mr. Greene:

H. B. 403. An Act to amend Section 3858 of Kentucky Statutes of 1909, relating to the making and recording of settlements of personal representatives and fixing the fees of the officers making and recording same.

To Committee on Judiciary:

By Mr. Mobley:

H. B. 404. An Act to amend an Act entitled an Act qualifying and enabling women to vote for the election of school officers chosen by the people except such officers as women may be disqualified from voting for by the Constitution, being chapter 47 of the Acts of the General Assembly, 1912, and approved March 12, 1912.

To Committee on Suffrage and Election.

By Mr. Walton:

H. B. 405. An Act to further amend and re-enact Section 3096 of the Kentucky Statutes relating to cities of the second class.

To Committee on Municipalities.

By Mr. Pumphrey:

H. B. 406. An Act to regulate liability of common carriers upon intra-state shipments.

To Committee on Railroads.

By Mr. Hamilton:

H. B. 407. An Act to repeal Section 364, Kentucky Statutes, Carroll's edition, 1909, pertaining to allowances to idiots, and re-enacting same.

To Committee on Kentucky Statutes.

By. Mr. H. C. Duffy:

H. B. 408. An Act defining public roads, providing for their establishment, regulation and use and maintenance, abolishing the office of Road Engineer, and transferring the duties thereof to the office of County Surveyor.

To Committee on Public Roads and Highways.

By Mr. H. J. Meyers:

H. B. 409. An Act to make uniform the law of warehouse receipts and prescribing the duties of warehousemen and penalties for breach of said duties.

To Committee on Public Warehouses and Granaries.

By Mr. Saufley:

H. B. 410. An Act providing for the expression of the popular will for party nominations of President and Vice President of the United States, providing for the nomination of Presidential electors, election of delegates and alternates

to the National Conventions, and the election of National Committeemen therefor, and amending Section three of Chapter 7 of an Act of the General Assembly of 1912, entitled An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections, and providing penalties for the violation thereof, insofar as it relates to the holding of primary elections in the years when Presidents and Vice Presidents are elected.

To Committee on Suffrage and Elections.

By Mr. Luker:

H. B. 411. An Act to prevent the employment of private guards and gun-men and fixing the penalty for so doing, as well as preventing anyone from acting in the capacity of guard or gun-men and fixing the penalty for so acting.

To Committee on Corporate Institutions.

By Mr. Reed:

H. B. 412. An Act regulating the transportation of school children.

To Committee on Education No. 1.

By Mr. Cary:

H. B. 413. An Act to amend Article 10 of Chapter 113, Kentucky Statutes relative to graded common schools.

To Committee on Education No. 1.

By same:

H. B. 414. An Act to regulate elections, to provide for the publication of campaign contributions, to control and regulate the contribution and expenditure of campaign funds, and to control and regulate contributions made for campaign purposes to further the election of any party organization or person, and fixing penalties therefor.

To Committee on Suffrage and Elections.

By Mr. Ray:

H. B. 415. An Act authorizing the Trustees of Graded Schools created under special act and having a school fund other than that provided by general law to issue coupon bonds of such graded school districts not exceeding fifty thousand dollars.

To Committee on Education No. 1.

By Mr. McCormack:

H. B. 416. An Act to provide for the proper location, construction and reconstruction of school houses in this Commonwealth.

To Committee on Education No. 1.

By Mr. Reed:

H. B. 417. An Act to repeal and re-enact Section 1840, Kentucky Statutes, Carroll's edition 1909, relating to the powers of fiscal courts.

To Committee on County and City Courts.

By Mr. Hamilton:

H. B. 418. An Act to amend Sub-sections 1, 2, 3 and 16 of Section 1409, Chapter 40, Carroll's Kentucky Statutes, 1909 edition, and extending said section by adding thereto.

To Committee on Kentucky Statutes.

Mr. McDyer presented a petition signed by sundry citizens of Boyd County, asking the passage of a bill to prohibit Sunday base ball.

Said petition was received, read, and referred to the Committee on Propositions and Grievances.

Mr. McDyer presented a petition signed by sundry citizens of Boyd County protesting against the passage of Senate Bill No. 109, known as the Glenn Bill, relating to State Insurance Board.

Said petition was received, read, and referred to the Committee on Insurance, Fire and Marine.

Mr. Cary presented a petition signed by sundry citizens of McLean County protesting against any bill or measure which proposes to in anywise lessen the scale of wages for labor in or at coal mines, or reduction in price per ton for mining and loading coal, and urging the passage of any bill or measure which will protect the workman and miner while at work in or at a coal mine.

Said petition was received, read, and referred to the Committee on Mines and Mining.

Mr. Farris presented a petition signed by sundry citizens of Boyle County, protesting against the passage of Senate Bill 109, known as the Glenn Bill.

Said petition was received, read, and referred to the Comtee on Insurance, Fire and Marine.

Mr. Henninger presented a petition of sundry citizens of Breckinridge County urging the passage of a bill requiring one to have a written permit from the owner of the land before he can set steel-traps, dead-falls, or the like on the land of another, and making the trapper responsible for all damages done by his traps to stock, persons, &c.

Said petition was received, read, and referred to the Committee on Fish and Game.

Mr. Jones presented a petition signed by sundry citizens of Calloway County requesting the passage of a State Bank Guarantee Bill that will protect the depositors against loss occasioned by reason of bank failure due to any cause.

Said petition was received, read, and referred to the Committee on Banks and Banking.

Mr. Mount offered the following resolution, viz.:

Resolution relating to the Game and Fish Fund.

Whereas, it appears that more than $40,000 is now in the Fish and Game Commission fund, and the State's finances being now embarrassed, and

Whereas, the records of said Commission show that there have been certain expenditures in payment of attorney's fees, costs and judgment without due warrant of law, which payments were in satisfaction of a judgment against one deputy game warden by reason of his exceeding his authority, same being a personal judgment and same being by direction of Quincy Ward, Fish and Game Commissioner, paid out of said Fish and Game fund, now, therefore,

Be it Resolved by the House of Representatives:

That said Fish and Game fund be turned over to the Treasurer of the State of Kentucky, and that State Inspector Sherman Goodpaster is directed to investigate and report to this House as to the amount of money that has been paid into said fund and the manner in which same, or any part of same has been paid out; and that the Attorney General be directed to institute suit and recover any sums of money improperly paid out by said commission.

Said resolution was read and referred to the Committee on Fish and Game.

Mr. Z. L. Meyers offered the following resolution, viz.:

Whereas, the hog cholera caused the farmers of this State over a million dollars loss during the past year, and

Whereas, the black leg is now killing cattle in several counties in the State, now, therefore, be it

Resolved, That Commissioner Newman be invited to address this body on Friday, February the 6th, 1914, at 12 o'clock on the subject of the prevention and cure of these communicable diseases.

Said resolution was disagreed to.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Miller, of the Committee on Municipalities:

H. B. 305. An Act to amend an Act entitled, an Act to amend the school laws and to create Boards of Education and to define their duties in cities of the first class.

By Mr. Fraser, of the Committee on Education No. 1:

H. B. 114. An Act to amend Section 5, Chapter 113, of an Act entitled an Act to provide for inspection of schools and school funds of the State and to increase the efficiency of the department of education, which became a law March 18, 1912.

With an amendment thereto by way of substitute therefor.

Ordered that said substitue be printed.

By Mr. Poteet, of the Committee on Public Health:

H. B. 249. An Act to impose further duties upon the State and county and city Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

By same:

H. B. 139. An Act to require the registration of all factories, machine shops, laundries, work-shops, mercantile, manufacturing or mechanical establishments, hotels, restaurants, telephone exchanges and telegraph offices with the State Commissioner of Agriculture and Labor.

With amendments thereto.

By same:

H. B. 278. An Act authorizing the granting of license to certain graduates of medical schools without a State Board examination.

With an amendment thereto.

By same:

H. B. 277. An Act authorizing the granting of pharmacist license to certain graduates of schools of medicine without a State Board examination.

With an amendment thereto.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 233. An Act making it unlawful for certain officers to receive service at free or reduced rates from public service corporations, or for public service corporations to give service at free or reduced rates to certain public officers, and prescribing the punishment for the breach thereof, together with the jurisdiction for the trial of offenses committed thereunder.

With an amendment thereto by way of substitute therefor.

Ordered that substitute be printed.

By Mr. Wills, of the Committee on Ways and Means:

H. B. 340. An Act to prohibit waiters and servants from accepting tips in hotels and restaurants, barber shops, Pullman cars and other places, and prohibiting persons from offering or giving tips and prescribing punishment therefor.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 322. An Act to fix the amount of license tax required of retail liquor dealers.

With an amendment thereto.

By same:

H. B. 344. An Act to regulate cost in proceedings to exonerate property wrongfully or erroneously assessed.

With an amendment thereto.

By same:

H. B. 45. An Act to revise a part of the revenue laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky edition of 1909 and subsequent acts amendatory thereof, all relating to revenue and taxation.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 106. An Act pertaining to the sale of dangerous and deadly weapons to intoxicated persons, and persons in the habit of becoming intoxicated and prescribing penalties for the violation thereof.

By same:

H. B. 153. An Act to enjoin and abate Houses of lewdness, etc., and to enjoin the person or persons who conduct or maintain the same.

By Mr. Miller, of the Committee on Equal Suffrage:

H. B. 221. An Act submitting to the voters of the State an amendment of the Constitution relative to equal suffrage.

Said bills were severally read the first time at length and ordered to be placed upon the calendar.

H. B. 274. An Act authorizing rewards for killing chicken hawks.

H. B. 202. An Act authorizing Jailers to execute a capias pro fine.

H. B. 192. An Act to change the time of circuit courts in the county of Cumberland in the 29th Judicial District.

H. B. 47. An Act to change the court calendar of the 13th Judicial district.

With an amendment by the Committee.

H. B. 199. An Act permitting struck juries to sit in civil cases and setting out manner of selection.

H. B. 320. An Act changing the times for the sessions of circuit courts of the Fourteenth Judicial district.

H. B. 196. An Act to create and establish a system of public State Boards and to provide for the construction and maintenance thereof.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

H. B. 183. An Act relating to the establishment, protecting and building of levees for the public benefit.

H. B. 163. An Act providing the time and manner of electing United States Senators.

H. B. 76. An Act to amend an act entitled, an Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at General Elections

and prescribing penalties for the violation thereof, which Act became a law March 5, 1912.

S. B. 14. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law and providing for the payment thereof.

H. B. 279. An Act fixing the amount of the bonds of the Wardens of the Kentucky Penitentiary at Eddyville, and of the Kentucky Reformatory at Frankfort, Kentucky, and of the Deputy Wardens thereof.

H. B. 189. An Act to repeal an Act entitled, an Act relating to weights, measures and balances and the appointment of an inspector of weights and measures for counties, being Chapter 90, Acts 1912.

H. B. 74. An Act forbidding the use or acceptance of free or reduced rate transportation by public officials and their families and forbidding the furnishing to such officials or their families of such transportation by common carrier.

With amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

H. B. 82. An Act to punish derogatory statements affecting any bank, savings bank or trust company.

With amendments thereto.

H. B. 73. An Act to amend and re-enact Sections 579 and 584, Kentucky Statutes, Carroll's edition, 1909, so that

the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

With amendment thereto by way of substitute therefor.

Ordered that said bills be severally read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

The committee heretofore appointed by the Speaker to hear the evidence and report to this House in the contest proceedings, Irvin Back, contestant, v. Wallace Bailey, contestee, filed the following majority report, viz.:

IRVIN BLACK - - - - - - - - - - - - - - - *Contestant*

v. Report of Committee.

WALLACE BAILEY, - - - - - - - - - - - - - - - *Contestee*

The contest board herein, upon investigation, finds that the notice of contest was not given within the period prescribed by law, and is of the opinion that said board is without jurisdiction to proceed in the matter.

Section 1535, Kentucky Statutes requires that notice must be filed within fifteen days after the act of issuing the certificate of election, and such notice was not given in this case until the sixteenth day thereafter. This section of the statute, as we are advised, is mandatory, and cannot be enlarged upon. In view of the law and facts with reference to the giving of said notice, we recommend that said notice of contest be dismissed, and that the contestee retain his seat.

We beg to recommend that an allowance be made to the

contestant of the sum of $100.00 for his expenses herein, and nothing for his attorney fees, and $100.00 to the contestee for his expenses and nothing for his attorney fees.

We found it necessary to secure the services of an attorney to assist us in this matter, and employed J. H. Polsgrove of Frankfort, for this purpose. We recommend an allowance to him of $50.00 for said services.

We ask that the clerk of this House be directed to certify said allowances to the Auditor for payment, as a necessary contingent expense, incurred in the hearing of this contest.

All of which is respectfully submitted.

JOHN MCDYER, Chairman.
GEO. M. MCDOWELL.
S. H. ROGERS.
J. GUTHRIE COKE.
W. L. HAMPTON.
E. F. CECIL.
Contest Committee.

Mr. Mount, of the Contest Committee, appointed to hear the evidence and report to this House in the contest proceedings, Irvin Back, contestant v. Wallace Bailey, contestee, filed a minority report, as follows, viz.:

Frankfort, Ky., Feb. 3, 1914.

To the House of Representatives.

Gentlemen:—As a member of the committee to whom was referred the contest between Irvin Back and Dr. Wallace Bailey from Breathitt County, beg leave to file the following minority report.

I concur in the majority report as far as the same recommends that the Contestee retain his seat, but dissent from so much thereof as recommends an allowance of one hundred ($100.00) dollars to be paid to his attorneys.

Respectfully submitted,

J R. MOUNT.

The yeas and nays being taken on the adoption of said majority report in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. E. Heninger	William A. Perry
Henry Avery	Dr. S. L. Henry	John A. Polin
H. C. Blades	J. J. Huff	Dr. T. J. Poteet
Joseph Boitnott	R. B. Hutchcraft Jr.	W. A. Price
Elmer L. Brown	John H. Klette	J. D. Pumphrey
Ed. F. Cecil	J. C. Lay	Stanley F. Reed
J. G. Coke, Jr.	C. R. Luker	B. T. Rountree
James R. Dorman	Dr. J. N. M'Cormack	A. W. Sharp
John Drescher	Geo. M. McDowell	Adam Spahn
John C. Duffy	John McDyer	Matt. S. Walton Jr.
Odie Duncan	W. T. McNally	James T. Webb
Frank C. Greene	Harry J. Myers	W. M. Webb
C. M. Gum	John E. Newman	N. B. White
E. V. Hall	S. Mazyck O'Brien	M. O. Wilson
Elwood Hamilton	Lyman J. Parrigin	Ray S. Wilson
W. L. Hampton	Lilburn Phelps	Douglas G. Wood
J. B. Harvey		—49

Those who voted in the negative were—

James W. Barrall	H. H. Harrington	A. W. Palmer
Geo. B. Barrett	H. H. Hays	Richard Radcliffe
Glover H. Cary	D. H. Hillman	Dr. W. R. Ray
Benjamin L. Cox	J. M. Johnson	W. E. Rogers
John W. Douglas	T. R. Jones	S. M. Saufley
H. C. Duffy	Griffin Kelly	W. A. Shawler
William Duffy	William J. Kuh	L. M. Smith
G. P. Durrett	Simon B. Lott	Ed. D. Stone
M. J. Farris, Jr.	T. T. Mobley	W. T. Stott
Vert C. Fraser	J. R. Mount	J. D. Wills
Ed Frost	Zach L. Myers	
John F. Fryer	C. B. Nichols	—34

And so said majority report was adopted.

Said minority report was rejected.

The House took up for consideration the unfinished business from yesterday, to-wit: A bill entitled:

H. B. 94. An Act to regulate lobbyists and lobbying.

Said bill reads as follows, viz.:

Be it Enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person retained or employed for compensation as counsel or agent by any person, firm, corporation or association to promote or oppose, directly or indirectly, the passage of bills or resolutions by either House, or to promote or oppose executive approval of such bills, shall, in each and every year, before any service is entered upon in promoting or opposing such legislation, file in the office of the secretary of state a writing subscribed by such counsel or agent stating the name or names of person or persons, firm or corporation, association or associations, by whom or on whose behalf he is retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered. No notice so filed shall be valid more than thirty days after the adjournment of the session of the legislature held in the year in which the same is filed. It shall be the duty of the Secretary of State to provide a docket, to be known as the docket of the legislative appearances, with appropriate blanks and indices, and to forthwith enter therein the names of the counsel and agents so retained or employed and of the persons, firms, corporations or associations retaining or employing them, together with a brief description of the legislation in reference to which the service is to be rendered, which docket shall be open to

public inspection. Upon the termination of such employment the fact of such termination, with the date thereof, may be entered by direction of either such counsel or agent of the employer. No person, firm, corporation or association shall retain or employ any person to promote or oppose legislation for compensation contingent in whole or in part upon the passage or defeat of any legislative measure or measures. No person shall for compensation engage in promoting or opposing legislation except upon appearance entered in accordance with the foregoing provisions of this section. And no person shall accept any such employment or render any such service for compensation contingent upon the passage or defeat of any legislative measure or measures. It shall be the duty of every person, firm, corporation or association within two months after the adjournment of the Legislature to file in the office of the Secretary of State an itemized statement, verified by oath, of such person, or in case of a firm, or a member thereof, or in case of a domestic corporation or association, of an officer thereof, or in case of a foreign corporation or association, an officer or agent thereof, showing in detail all expenses paid, incurred or promised, directly or indirectly, in connection with the legislation pending at the last previous session, with the names of the payees and the amount paid each, including all disbursements paid, incurred or promised to counsel or agents, also specifying the nature of said legislation and the interest of the person, firm, corporation or association therein. The provisions, however, of this section requiring docket entries shall not apply to duly accredited counsel or agent of counties, cities, towns, villages, public boards and public institution. And the provisions hereof shall not be construed as affecting professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation where such professional service is not otherwise connected with legislative action. Every person, every member of any firm, and every association or corpora-

tion violating any provision of this section, and every person causing or participating in a violation thereof, shall be punished by imprisonment, in case of any individual, in the penitentiary for a term of two years or in the county jail for not more than one year, or by a fine not more than one thousand dollars, or by both such fine and imprisonment, and, in case of an association or corporation, by a fine not more than one thousand dollars. And in addition to the penalties hereinbefore imposed, any corporation or association failing to file the statement of legislative expenses within the time required shall forfeit to the people of the State the sum of one hundred dollars per day for each day after the expiration of the two months within which such statement is required to be filed, to be recovered in an action to be brought by the Attorney General; provided, however, that this article shall not be construed to apply to any person whose service consist wholly in appearing before committees of the House and Senate for the purpose of explaining or arguing for or against the passage of or action upon any bill, resolution or other matter then pending before said committee. Nor shall the provisions of this article apply to any citizen or resident of any legislative district or senatorial district in talking publicly or privately with the member of the General Assembly from such district upon any subject.

§ 2. It shall be unlawful for any person employed for a pecuniary consideration to act as legislative counsel or legislative agent for any person, corporation or association, to go upon the floor of either House of the Legislature, reserved for the members thereof while in session, except upon the invitation of such House. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail not less than ten days nor more than twelve months, and by a fine of not less than one hundred dollars nor more than five hundred dollars.

The Committee on Judiciary, to which said bill had been referred, offered an amendment to said bill by way of substitute therefore.

Said amendment, by way of substitute, reads as follows, viz.:

Be it Enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person retained or employed for compensation as counsel or agent by any person, firm or corporation or association, to promote or oppose directly or indirectly the passage of bills or resolutions by either House, or to promote or oppose executive approval of such bills, shall before any service is entered upon, file in the office of the Secretary of State a writing subscribed by such counsel or agent, stating the name or names of person or persons, firm or corporation, association or associations, by whom or on whose behalf he is retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered. No notice so filed shall be valid more than thirty days after the adjournment of the session of the Legislature held in the year in which the same is filed. It shall be the duty of the Secretary of State to provide a docket, to be known as the docket of the Legislative appearances, with appropriate blanks and indices, and to forthwith enter therein:

First. The names of the counsel or agents so retained or employed.

Second. The names of the persons, firms, corporations or associations retaining or employing them.

Third. A brief description of the legislation in reference to which the service is to be rendered, which docket shall be open to public inspection. Upon the termination of such employment the fact of such termination, with the date thereof, may be entered by direction of either such counsel or agent of the employer.

Fourth. It shall be the duty of every person, firm, corporation or association, within two months after the adjournment of the Legislature, to file in the office of the Secretary of State, an itemized statement verified by oath of such person, or in case of a firm, or a member thereof, or in case of a domestic corporation, or association, or an officer thereof, or in case of a foreign corporation or association an officer or agent thereof, showing in detail all expenses paid, incurred or promised, directly or indirectly in connection with the legislation pending at the last previous session, with the names of the payees and the amount paid each, including all disbursements, paid, incurred or promised to counsel or agents, also specifying the nature of said legislation and the interests of the person, firm, corporation or association therein.

The provisions, however, of this section requiring docket entries shall not apply to duly accredited counsel or agent of counties, cities, towns, villages, public boards and public institutions. And the provisions hereof shall not be construed as affecting professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation where such professional service is not otherwise connected with legislative action.

§ 2. It shall be unlawful for any person, firm, corporation or association to retain or employ any person to promote or oppose legislation for compensation contingent in whole or in part upon the passage or defeat of any legislative measure or measures, or for any person to engage in promoting or opposing legislation, for compensation, direct or indirect, except upon appearance entered in accordance with the foregoing provisions of this section, or for any person to accept any such employment or render any such service for compensation contingent upon the passage or defeat of any legislative measure.

§ 3. Every person, every member of any firm and every association or corporation or officer thereof, violating any provision of this section, and every person causing or participating in a violation thereof, shall be guilty of a misdemeanor and punishable, in case of any individual, or any officer or corporation offending, by confinement in the county jail for a term of not less than sixty days, nor more than six months, or by a fine of not less than Five Hundred ($500.00) Dollars, nor more than Two Thousand ($2,000.00) Dollars, or both such fine and imprisonment, and in case of any association or corporation, by a fine or not less than Five Hundred, nor more than Two Thousand Dollars, and in addition to the penalties hereinbefore imposed, any corporation or association failing to file the statement of legislative expenses within the time required shall forfeit to the people of the State the sum of one hundred dollars per day for each day after the expiration of the two months within which such statement is required to be filed, to be recovered in an action to be brought by the Attorney General. Provided, however, that this article shall not be construed to apply to any person whose service consists wholly in appearing before committees of the House and Senate for the purpose of explaining or arguing for or against the passage of or action upon any bill, resolution or other matter then pending before said committee. Nor shall the provisions of this Article apply to any citizen or resident of any legislative district or senatorial district in talking publicly or privately with the member of the General Assembly from such district upon any subject.

§ 4. It shall be unlawful for any person, not a member or employee thereof, to go upon the floor of either House of the Legislature, reserved for the members thereof while in session except upon the invitation of such House. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail not less than ten

days nor more than twelve months and by a fine of not less than one hundred dollars nor more than five hundred dollars.

Mr. Price offered the following amendment to said substitute: Amend substitute to H. B. 94 by adding at the end of section two the following:

"No officer or employe of the Commonwealth or of the United States, and no person who has not in good faith, for more than two years previous to such employment, pursued some remunerative occupation other than influencing legislation, shall be retained or employed for compensation as agent or counsel to oppose or promote any legislative matter or executive approval thereof."

Said amendment was disagreed to.

Mr. Price offered the following amendment to said substitute:

Amend substitute to H. B. 94 by adding as a separate section and insert between Sections 2 and 3 the following:

"No member of the General Assembly shall, directly or indirectly, give, offer or promise his vote or influence in favor of or against any measure or proposition pending or proposed, or any change in any such measure or proposition, in consideration or on condition that another person elected to the same General Assembly will give, promise or agree to give, his vote or influence in favor of or against another measure or proposition, pending or proposed, or any change therein, or on condition of executive approval or veto of any measure or that any person shall be appointed or elected to or removed from any office or position under the laws of this State; provided, that nothing herein shall be construed as prohibiting free discussion, privately and publicly, upon any question or measure pending before the

General Assembly by members thereof, nor as prohibiting agreement of members to support any single measure pending on condition that certain changes be made in such measure, nor as prohibiting agreements to compromise conflicting provisions of different measures.

Said amendment was disagreed to.

Mr. John C. Duffy offered the following amendment to said substitute, viz.:

Amend by adding to the amendment the following:

"And it shall be unlawful for any State, district, county or municipal officer, or officers, or the officers or employees of any Department of the State Government, or the members of the Boards of any State Institutions maintained in whole or in part by State funds, or any of the officers, presidents, professors, or employees of any such institutions, to promote or oppose legislation affecting any increase in the fees or emoluments of his or their office or offices, or to procure appropriations for any such institutions or to retain or employ any person or persons for the purpose of procuring any increase of appropriation for any such Department of the State Government or for any such institution, directly or indirectly." Provided, however, that this shall not prohibit any such officer, President, Professors, Agents or Employees of any institutions from going before any Committee of the General Assembly or the General Assembly voluntarily or on request for the purpose of informing the said Committee of any conditions affecting any departments of the State government or any such institution.

Said amendment was disagreed to.

Mr. Coke moved the previous question.

Said motion was agreed to.

Said substitute amendment was then agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Peter Ampler
Harry Avery
Wallace Bailey
James W. Barrall
Geo. B. Barrett
J. M. Billeter
Henry C. Blades
Joseph Boitnott
Elmer L. Brown
Glover H. Cary
Ed. F. Cecil
J. G. Coke, Jr.
Benjamin L. Cox
James R. Dorman
John W. Douglas
John Drescher
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
G. P. Durrett
Thomas J. Evans
M. J. Farris, Jr.
Vert C. Fraser
Ed Frost
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
H. H. Harrington
J. B. Harvey
H. H. Hays
W. E. Henninger
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R.B.HutchcraftJr.
J. M. Johnson
T. R. Jones
Griffin Kelly
John H. Klette
William J. Kuh
Simon B. Lott
C. R. Luker
Geo. M. McDowell
John McDyer
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
Zach. L. Myers
John E. Newman
C. B. Nichols
S. Mazyck O'Brien
A. W. Palmer
Lyman G. Parrigin
Lilburn Phelps
William A. Perry

John A. Polin	B. T. Rountree	M. S. Walton, Jr.
Dr. T. J. Poteet	S. M. Saufley	James T. Webb
W. A. Price	A. W. Sharp	W. M. Webb
J. D. Pumphrey	W. A. Shawler	N. B. White
Richard Radcliffe	L. M. Smith	J. D. Wills
Dr. W. R. Ray	Adam Spahn	M. O. Wilson
Stanley F. Reed	Ed. D. Stone	Roy S. Wilson
S. H. Rogers	W. T. Stott	Douglas G. Wood
W. E. Rogers	N. C. Tilford	—86

Resolved, That the title thereof be as aforesaid.

Mr. Mount moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 144. An act to prevent the sending, exhibiting, posting or circulating letters, circulars or posters, written or printed in pamphlet form, or otherwise, false accusations against another person and prescribing the penalty therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter it shall be unlawful for any person to send through the mails or otherwise, or to post up, distribute, exhibit, circulate any letter, circular, written or printed in pamphlet form or otherwise, falsely accusing another person of any crime defamatory, or scandalous matter; whether the same is signed with such person's name or anonymously, or not signed at all; shall upon conviction be confined in the penitentiary for a period of not less than one year and not over five years.

§ 2. In any prosecution under this act it shall be no exemption for a witness that his testimony may incriminate himself; but no such testimony given by a witness shall be used against him in any prosecution except for perjury, and shall be discharged from all liability for any violation of this act so necessarily disclosed in his testimony.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Ed. Frost	W. T. McNally
Geo. B. Barrett	Frank C. Greene	J. R. Mount
Henry C. Blades	E. V. Hall	John E. Newman
Elmer L. Brown	W. L. Hampton	William A. Perry
Benjamin L. Cox	J. B. Harvey	Dr. W. R. Ray
James R. Dorman	Dr. S. L. Henry	W. A. Shawler
John C. Duffy	T. R. Jones	L. M. Smith
Odie Duncan	William J. Kuh	Ed. D. Stone
M. J. Farris, Jr.	Simon B. Lott	W. T. Stott
Vert C. Fraser	John McDyer	J. D. Wills

—30

Those who voted in the negative were—

Harry Avery	John Drescher	Elwood Hamilton
James W. Barrall	H. C. Duffy	H. H. Harrington
Glover H. Cary	William Duffy	H. H. Hays
J. G. Coke, Jr.	Thomas J. Evans	D. H. Hillman
John W. Douglas	John F. Fryer	R. B. Hutchcraft Jr.

J. M. Johnson	Lyman G. Parrigin	A. W. Sharp
Griffin Kelly	Lilburn Phelps	N. C. Tilford
John H. Klette	Dr. T. J. Poteet	M. S. Walton, Jr.
J. C. Lay	J. D. Pumphrey	James T. Webb
C. R. Luker	Richard Radcliffe	W. M. Webb
T. T. Mobley	Stanley F. Reed	N. B. White
Harry J. Myers	S. H. Rogers	M. O. Wilson
S. Mazyck O'Brien	W. E. Rogers	Douglas G. Wood
A. W. Palmer	S. M. Saufley	—41

And so said bill was rejected.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 159. An act to amend and re-enact Sections 3957 and 3958, Chapter 105, Kentucky Statutes, Carroll's Edition, 1909, relating to public printing and binding and stationery, being an act of June 20, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3957 be amended by striking from the third line thereof the word "biennially" and inserting in lieu thereof the words "every four years," and by striking from the tenth line of that section the word "two" and inserting in lieu thereof the word "four," so that said section, when so amended, will read as follows:

"Section 3957. Advertisement for bidders-publication-terms of contract. The Commissioners shall, between the first day of August and the first day of November next after the passage of this law, and every four years thereafter, within the same period, give notice, for the period of at least thirty days, in at least one newspaper in each of the cities of Frankfort, Louisville, Lexington, Covington, Paducah, Ky., and

Cincinnati, Ohio, that sealed proposals will be received at the office of the Secretary of State for the executing of the several classes of the public printing and binding in separate contracts, and for furnishing paper, envelopes and other stationery for the term of four years from and after the first Monday in January next ensuing, at a certain rate per centum, not to exceed the rates specified in this law."

§ 2. That Section 3958 be amended by striking out of all of said section, beginning with the word "person," in the fifth line thereof, and inserting the following "bidder whose proposal is found by the Commissioners to be the lowest and best, not to exceed the rate fixed by the schedule annexed to this law, and at the same time and in the same manner award the contract for furnishing stationery," so that said section, when so amended, will read as follows:

"Section 3958. Examination of bids awarding contract. Within two days after the expiration of the time for receiving proposals as aforesaid, the Commissioners, or any three of them, shall open all such proposals, and shall proceed publicly to allot the printing and binding in each class as aforesaid, to the bidder whose proposal is found by the Commissioners to be the lowest and best, not to exceed the rate fixed by the schedule annexed to this law, and at the same time and in the same manner award the contract for furnishing stationery."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Elwood Hamilton	Lyman J. Parrigin
Harry Avery	W. L. Hampton	Lilburn Phelps
James W. Barrall	H. H. Harrington	William A. Perry
Geo. B. Barrett	H. H. Hays	John A. Polin
Henry C. Blades	W. E. Henninger	J. D. Pumphrey
Joseph Boitnott	Dr. S. L. Henry	Richard Radcliffe
Elmer L. Brown	D. H. Hillman	Stanley F. Reed
Glover H. Cary	J. J. Huff	S. H. Rogers
Ed. F. Cecil	R. B. Hutchcraft Jr.	W. E. Rogers
J. G. Coke, Jr.	J. M. Johnson	S. M. Saufley
Benjamin L. Cox	T. R. Jones	L. M. Smith
James R. Dorman	John H. Klette	Adam Spahn
John W. Douglas	William J. Kuh	Ed. D. Stone
H. C. Duffy	J. C. Lay	W. T. Stott
John C. Duffy	W. T. McNally	N. C. Tilford
William Duffy	J. R. Mount	M. S. Walton, Jr.
G. P. Durrett	Harry J. Myers	James T. Webb
M. J. Farris, Jr.	Zach. L. Myers	N. B. White
Vert C. Fraser	John E. Newman	M. O. Wilson
Ed. Frost	C. B. Nichols	Roy S. Wilson
C. M. Gum	S. Mazyck O'Brien	Douglas G. Wood
E. V. Hall	A. W. Palmer	—65

Those who voted in the negative were—

Odie Duncan	T. T. Mobley	W. A. Shawler
John F. Fryer	Dr. W. R. Ray	J. D. Wills
Frank C. Greene	A. W. Sharp	—8

Resolved, That the title be as aforesaid.

Mr. Saufley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 4. An act to amend an act entitled, An act to create the Thirty-fourth Judicial District of Kentucky, and to change the 26th and 27th Circuit Court Judicial Districts, and to provide for the holding of courts in the said 26th, 27th and 34th Judicial Districts and to provide for judges and Commonwealth attorneys, which act was approved March 16th, 1910.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That paragraph 2 of Section 3 of an Act approved March 16th, 1910, entitled "An Act to create the Thirty-fourth Judicial District of Kentucky, and to change the Twenty-sixth and Twenty-seventh Circuit Court Judicial Districts, and to provide for the holding of courts in the said Twenty-sixth, Twenty-seventh and Thirty-fourth Judicial Districts, and to provide for judges and Commonwealth attorneys," and being that part of said Act fixing the terms of court in the Twenty-sixth Judicial District be, and the same is hereby amended by striking out the word "second" in the second line of paragraph 2 of Section 3 of said Act, and substituting therefor the word, "first"; and striking out the word "eighteen" in the third line of paragraph 2 of Section 3 of said Act, and substituting therefor the word "twenty-four"; and by striking out the word "fourth" in the third line of paragraph 2 of Section 3 of said Act, and substituting therefor the word "first"; and striking out the word "March" in line four, paragraph 2, Section 3 of said Act, and substituting therefor the word "April"; and by striking out the word "eighteen" in the fourth line of said paragraph and section of said Act, and substituting therefor the word "thirty"; and by striking out the word "twelve" in the fifth line of said paragraph and section of said Act, and substituting therefor the word "twenty-four"; and by striking out all of the words

in the sixth and seventh lines of said paragraph and said section of said Act beginning with the word "fourth," and ending with the word, "days," both inclusive; and by adding in the eighth line of said paragraph and section of said Act between the word "Pineville," and the word "on," the words "and Middlesboro, as now provided by law"; and by striking out the word "thirty-six" in the ninth line of said paragraph and section of said Act and substituting therefor the word "forty-eight"; and by striking out the word "fourth" in the tenth line of said paragraph and section of said Act, and substituting therefor the word "second"; and by striking out the word "April" in the same line of said section and paragraph of said Act and substituting therefor the word "May;" and striking out the word "thirty-six" in the tenth and eleventh lines of said paragraph and section of said Act and substituting therefor the word "forty-eight"; and by striking out the word "four" and "September" in the eleventh line of said paragraph and section, and substituting therefor the words "first" and "October," respectively; and by striking out the word "twenty-four" in the twelfth line of said paragraph and section, and substituting therefor the word "sixty"; and by striking out all of the words in the twelfth and thirteenth lines of said paragraph of said section, beginning with the word "third" and ending with the word "days," both inclusive, so as that said paragraph of said section when amended shall read as follows:

Twenty-sixth Judicial District.

Harlan County at Harlan on the first Monday in January, continuing twenty-four juridical days; the first Monday in April and continuing thirty juridical days; the first Monday in September and continuing twenty-four juridical days.

Bell County at Pineville and Middlesboro, as now provided by law, on the first Monday in February and continuing forty-eight juridical days; on the second Monday in May and

continuing forty-eight juridical days; on the first Monday in October and continuing sixty juridical days.

Whereas, there is a congested condition of the docket existing both in Bell and Harlan Counties, in the said Twenty-sixth Judicial District; and, whereas, it is the purpose of this Act to relieve said congested condition, an emergency is declared to exist, and this Act shall become effective upon and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	G. P. Durrett	T. R. Jones
Wallace Bailey	Vert C. Fraser	Griffin Kelly
James W. Barrall	Ed. Frost	John H. Klette
Geo. B. Barrett	John F. Fryer	William J. Kuh
Joseph Boitnott	C. M. Gum	J. C. Lay
Elmer L. Brown	E. V. Hall	Simon B. Lott
Glover H. Cary	W. L. Hampton	C. R. Luker
Ed. F. Cecil	H. H. Harrington	Geo. M. McDowell
J. G. Coke, Jr.	J. B. Harvey	T. T. Mobley
Benjamin L. Cox	H. H. Hays	J. R. Mount
John W. Douglas	Dr. S. L. Henry	Harry J. Myers
John Drescher	D. H. Hillman	Zach. L. Myers
H. C. Duffy	J. J. Huff	John E. Newman
John C. Duffy	R. B. Hutchcraft Jr.	C. B. Nichols
William Duffy	J. M. Johnson	Lyman J. Parrigin

John A. Polin	W. E. Rogers	W. T. Stott
Dr. T. J. Poteet	B. T. Rountree	N. C. Tilford
W. A. Price	S. M. Saufley	M. S. Walton, Jr.
J. D. Pumphrey	A. W. Sharp	James T. Webb
Richard Radcliffe	L. M. Smith	N. B. White
Dr. W. R. Ray	Adam Spahn	M. O. Wilson
Stanley F. Reed	Ed. D. Stone	Douglas G. Wood
S. H. Rogers		—67

Those who voted in the negative were—

J. D. Wills —1

Resolved that the title thereof be as aforesaid.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

S. B. 1. An act entitled, An Act to amend Section 1 of an Act requiring fiscal courts to levy a tax to create a sinking fund for the purpose of erecting and equipping suitable court houses and other public buildings and prescribing penalties for failure to perform such duties, approved March 21, 1910.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 37. An act to regulate the practice of veterinary surgery, dentistry and medicine.

Mr. John C. Duffy moved that said bill be recommitted to the Committee on Agriculture, with leave to report same at any time, together with all amendments thereto.

Said motion was agreed to.

Mr. James T. Webb moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 5, 1914.

The House was opened with prayer by the Rev. Robert L. Cowan, of the Southern Presbyterian Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon the call of the counties and representatives districts, bills were introduced, ordered printed and referred as follows:

By Mr. J. B. Harvey:

H. B. 419. An act to amend Sections 1944, 1946 and 1947 of the General Statutes of Kentucky and increasing the penalty for the violation thereof.

To Committee on Fish and Game.

By Mr. T. J. Evans:

H. B. 420. An Act to repeal Chapter 13 of the Acts of 1912, being "An Act to provide for the inspection of schools and school funds of the State and to increase the efficiency of the Department of Education."

To Committee on Education No. 1.

By Mr. Hutchcraft:

H. B. 421. An Act to repeal and re-enact Section 4281a, Kentucky Statutes, relating to inheritance taxes.

To Committee on Kentucky Statutes.

By Mr. Dryer:

H. B. 422. An Act to amend an Act entitled, "An Act to provide for the reorganization, maintenance and supervision of common schools in the town of Catlettsburg and vicinity.

To Committee on Kentucky Statutes.

By Mr. Frank C. Greene:

H. B. 423. An Act concerning gypsies or other like vagrants.

To Committee on Judiciary.

By Mr. W. M. Webb:

H. B. 424. An Act to amend the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Rogers:

H. B. 425. An Act requiring bakers to wrap loaves of bread.

To Committee on Public Health.

By Mr. G. H. Cary:

H. B. 426. An Act to amend and re-enact sub-sections 2 and 3 of Section 1596a of the Kentucky Statutes and being parts of Article 15 of Chapter 41 of the Kentucky Statutes, entitled "Election Commissioners—Contested Elections."

To Committee on Suffrage and Election.

By Mr. E. F. Cecil:

H. B. 427. An Act to regulate the conditions upon which foreign corporations may do business in the State of Kentucky.

To Committee on Corporate Institutions.

By Mr. Douglas:

H B. 428. An Act to create the Thirty-sixth Judicial District.

To Committee on Circuit Courts.

By Mr. Durrett:

H. B. 429. An Act to create the Eleventh Judicial District so as to include Adair County in said district.

To Committee on Circuit Courts.

By Mr. Hamilton:

H. B. 430. An Act to regulate the descent and distribution of property of deceased adopted children.

To Committee on Judiciary.

By Mr. Shawler:

H. B. 431. An Act to amend Section 795, Kentucky Statutes, Carroll's Fourth Edition.

To Committee on Railroads.

By Mr. Shawler:

H. B. 432. An Act to amend Article 1 of an Act of the General Assembly of the Commonwealth of Kentucky entitled "An Act relating to revenue and taxation," approved March 15, 1906.

To Committee on Revenue and Taxation.

By Mr. Shawler:

H. B. 433. An Act to protect drivers of stock on the public highways of this Commonwealth where the stock law is in force.

To Committee on Agriculture.

By Mr. Shawler:

H. B. 434. An Act to amend Article 1 of an Act of the General Assembly of the Commonwealth of Kentucky entitled "An Act relating to revenue and taxation," approved March 15, 1906.

To Committee on Revenue and Taxation.

By Mr. Nichols:

H. B. 435. An Act amending Section 4127, Kentucky Statutes, Chapter 108, Carroll's Edition 1909, in relation to supervisors of taxes.

To Committee on Revenue and Taxation.

By Mr. L. M. Smith:

H. B. 436. An Act to prevent the breaking or cutting of fences.

To Committee on Agriculture.

By Mr. O'Brien:

H. B. 437. An Act to provide for a State Flag.

To Committee on Public Offices.

By Mr. McNally:

H. B. 438. An Act to amend an Act entitled "An Act to incorporate the Kentucky Institution for the Education of the Blind," and to provide for the regulation thereof.

To Committee on Kentucky Statutes.

The Committee to which the same had been referred, having on last Tuesday reported adversely a bill entitled:

H. B. 35. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling of railroads within the boundary of this State in part or in whole.

Mr. Stone moved to reconsider the vote by which said bill was refused a reading.

On this motion the yeas and nays being required by Messrs. Greene and Mount, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank C. Greene	J. M. Johnson
Harry Avery	E. V. Hall	T. R. Jones
James W. Barrall	W. L. Hampton	Griffin Kelly
Henry C. Blades	H. H. Harrington	John H. Klette
C. W. Burton	J. B. Harvey	Simon B. Lott
Ed. F. Cecil	H. H. Hays	C. R. Luker
Benjamin L. Cox	Dr. S. L. Henry	Geo. M. McDowell
James R. Dorman	D. H. Hillman	John McDyer
M. J. Farris, Jr.	J. J. Huff	T. T. Mobley

J. R. Mount	L. M. Smith	N. B. White
Lyman G. Parrigin	Ed. D. Stone	J. D. Wills
Dr. T. J. Poteet	W. T. Stott	M. O. Wilson
Dr. W. R. Ray	N. C. Tilford	Roy S. Wilson
Stanley F. Reed	M. S. Walton, Jr.	Douglas G. Wood
W. A. Shawler	James T. Webb	—44

Those who voted in the negative were—

J. G. Coke, Jr.	R.B.Hutchcraft Jr.	S. Mazyck O'Brien
John W. Douglas	William J. Kuh	A. W. Palmer
John Drescher	Harry J. Myers	Lilburn Phelps
H. C. Duffy	Zach. L. Myers	John A. Polin
G. P. Durrett	John E. Newman	A. W. Sharp
John F. Fryer	C. B. Nichols	Adam Spahn
Elwood Hamilton		—19

And so said motion was agreed to.

Said bill was given a first reading and placed on the calendar.

Mr. Saufley offered the following resolution:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the State Librarian is hereby authorized and directed to rent one typewriter for use of the Clerk, and one for use of the copyist in the Clerk's office, and three for use of the House under direction of the Speaker of the House, and to furnish typewriter paper, etc., necessary for the draft of bills of the House, on requisition of the Speaker.

Said resolution was adopted.

Mr. Herrington presented a petition signed by sundry citizens of Meade County urging the passage of a bill requir-

ing one to have a written permit from the owner of the land before he can set steel traps, dead falls, or the like on the land of another.

Said petition was received, read and referred to the Committee on Fish and Game.

Mr. W. M. Webb presented a petition signed by sundry citizens of Johnson County memorializing the present session of the Legislature of the State of Kentucky to submit to the vote of the people a constitutional amendment providing for the prohibition of the manufacture, sale, importation and exportation of intoxicating liquors for beverage purposes.

Said petition was received, read and referred to the Committee on Constitutional Amendments.

Mr. Cary presented a petition signed by sundry citizens of McLean County urging the introduction and passage of a bill making it unlawful for any person to trap animals along any stream in Kentucky without having first obtained the written permission of the owners of the land bordering on the stream where such trapping is done.

Said petition was received, read and referred to the Committee on Fish and Game.

Mr. Cary presented a petition signed by sundry citizens of McLean County urging the enactment of a law prohibiting the manufacture, sale and keeping for sale or giving away cigarettes in the State.

Said petition was received, read and referred to the Committee on Public Health.

Mr. Shawler presented a petition signed by sundry citizens of Hardin County protesting against the passage of Senate Bill 109.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

The Committees to which the same had been referred reported bills of the following titles:

By Mr. Farris, of the Committee on Agriculture.

House Bill 280. An Act to amend Chapter 60, Session Acts of 1910, entitled, "An Act to prevent the spread of communicable diseases among domestic animals in the State of Kentucky and to provide greater protection to the live stock industry of the State and to increase the number of members on the live stock Sanitary Board and to enlarge the powers of said Board, and to amend Article 2, Chapter 5 of the Kentucky Statutes relating to diseases of domestic animals.

With an amendment thereto.

By same:

H. B. 24. An Act to prohibit the running at large of unaltered male stock of certain species.

By same:

H. B. 241. An Act requiring counties to furnish their own Veterinary Surgeon.

With an amendment thereto.

By same:

H. B. 238. An Act to amend Chapter 108 of Session Acts of 1912, entitled an Act to amend an Act entitled, "An Act to further regulate the Bureau of Agriculture, Labor and Statistics," approved March 17, 1902, being Section 33a of the Kentucky Statutes.

By Mr. McCormack: Of the Committee on Education No. 1.

H. B. 253. An Act concerning illiteracy in the State of Kentucky and to provide for the creation of a Commission to be known as "The Kentucky Illiteracy Commission," and to provide for the duties and powers thereof.

By Mr. J. T. Webb: Of the Committee on Judiciary.

H. B. 107. An Act concerning decedent's estates, and concerning the sale of decedent's real estate to pay debts.

By same:

H. B. 331. An Act to amend an Act of March 12, 1912, entitled. "An Act limiting the time in which the enforcement of tax titles and tax liens may be affected.

By same:

H. B. 142. An Act to amend Section 2487, Kentucky Statutes, Carroll's Edition, of 1909, relating to lien of employes and material men on property assigned for the benefit of creditors.

By same:

H. B. 237. An Act to regulate the admission of attorneys to practice law.

With an amendment thereto by way of substitute therefor.

By Mr. Smith: Of the Committee on Kentucky Statutes.

H. B. 287. An Act to amend Section 1155, Subdivision 3, Chapter 36, Kentucky Statutes.

By Same:

H. B. 288. An Act to amend Section 4850, Chapter 135, Carroll's Edition, 1909, with reference to wills.

By same:

H. B. 312. An Act providing for the plugging of gas wells and for preventing the waste of natural gas.

By same:

H. B. 121. An Act relating to the manufacture, sale and use of tobacco and cigaretts and providing punishment for violations thereof.

With amendment thereto by way of substitute therefor.

By Mr. O'Brien: Of the Committee on Municipalities.

H. B. 63. An Act to establish an insurance and annuity fund for public school teachers of cities of the second class.

By same:

H. B. 38. An Act relating to poll or capitation tax and providing for the collection of but one poll tax from citizens of cities of the third class.

By same:

H. B. 281. An Act to further amend and re-enact Section 4 of an Act approved March 21, 1910, and published as Chapter 50 of the Acts of 1910.

By Mr. Poteet: Of the Committee on Public Health.

H. B. 87. An Act relating to the equipment and regulation of hotels and restaurants, defining the same and relating to the inspection thereof providing for penalties for violations of the provisions of this act.

With an amendment thereto.

By Mr. Myers, Z. L.: Of the Committee on State Capitol.

H. B. 302. An Act relating to crimes and punishments, making the erection and maintaining of Bill Boards, Display Boards, unsightly houses or sheds within four hundred feet of the State Capitol Grounds a nuisance, and providing a penalty.

By Mr. Hampton: Of the Committee on Alcoholic Liquor Traffic.

H. B. 14. An Act to regulate the sale, barter, or loan of spirituous, malt, vinous or other alcoholic liquors that produce drunkness.

By Mr. Hamilton: Of the Committee on Revenue and Taxation.

H. B. 295. An Act to provide for the uniform accounting and inspecting of the public offices of this Commonwealth.

Said bills were severally read the first time, at length, and ordered to be placed upon the calendar.

Mr. John C. Duffy: Of the Committee on Education No. 2, to which the same had been recommitted on a former day, reported a bill entitled:

H. B. 27. An Act creating a State Text Book Commission to adopt for use in the common schools of Kentucky a uniform series of text books, regulating the price thereof, defining the powers and duties of said Commission and the method of selection of such text books and their distribution, prescribing penalties for the violation of this Act, and repealing Chapter 13, of the Acts of the General Assembly of Kentucky, approved March 15, 1910.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created for the Commonwealth of Kentucky a State Text Book Commission, which shall consist of the following members, to-wit: The State Superintendent of Public Instruction, who shall be chairman of said Board, the Attorney General, the Secretary of State, together with the Governor of the State, all of whom shall be ex-officio members, and eleven other members, one chosen from each congressional district of the State, and who shall serve for a period of four years from the date of appointment. The said eleven members shall be chosen as follows: The State Board of Education shall nominate from each congressional district one person, whom the Governor shall appoint to serve on said Commission. No person shall be nominated or appointed who is the author of any text book published for use in the common and high schools, or who has been in the employ as

a traveling salesman or otherwise, of any publisher of school text books, within a period of five years prior to the passage of this Act. Seven of the eleven members so nominated and so appointed shall be professional school men who have served in the public schools of the Commonwealth for at least five years prior to any adoption under this Act. The other four members shall be selected on account of their knowledge of the merits of text books, quality of binding, quality of printing and all other features pertaining to the make-up of first-class text books, printing and binding. The last mentioned four members may be professional educators or business laymen. No member of said Commission shall receive any compensation for said services. At the end of the term for which said Commission shall have been appointed, and every five years thereafter, the State Board of Education shall nominate eleven members to serve on said Commission, as constituted under this Act, who shall be appointed by the Governor.

§ 2. Each member of said Commission shall qualify by taking and subscribing to an oath faithfully to discharge his duties as required by this law, and the said affidavit shall be filed in the office of the Superintendent of Public Instruction.

§ 3. The members of the State Text Book Commission, as thus constituted, shall meet only on the call of the chairman, in his office, during the months of April and June of the years in which existing contracts expire, and shall organize at the April meeting of said Commission. The chairman shall preside at all meetings of the Commission. The Commission shall elect a Secretary, who shall keep complete records of all meetings, and all such records and all contracts shall be signed by the Chairman and Secretary.

§ 4. At the meeting of the State Text Book Commission, held in the month of April, the Commission shall advertise through five or more county or daily newspapers, or by written notification to all qualified publishers, as hereinafter provided, that at a time during the month of June following, and

at a place fixed definitely in the advertisement, sealed bids or proposals will be received from the publishers of school text books for furnishing books to the common schools and the high schools of the State of Kentucky, in accordance with the provisions of this law and such regulations as the Commission may prescribe. Such advertisement or notification shall reserve to the Commission the right to reject any and all bids.

§ 5. Such bids and proposals shall be for furnishing books during a period of five years from the date of said adoption, and no longer. The bids shall state specifically the net contract prices at which books are to be furnished to dealers, and the exchange prices to pupils, and shall be accompanied by a specimen copy of every book proposed to be furnished. All bids shall be sealed and deposited with the Chairman of the Commission, to be by him delivered to the Commission in executive session, when they shall be opened in the presence of the Commission. It shall be the duty of the Chairman of the Commission to carefully preserve in his office for comparison the specimen copy of each of the books adopted, together with the original bid or proposal, and when requested, to return to the publishers the specimen copies of other books submitted, at their expense.

§ 6. The Commission shall have and reserve the right to reject any and all bids for reasons satisfactory to a majority of the Commission. In case of failure to select, from the bids submitted, a satisfactory text book upon all of the branches prescribed by law, the Commission shall re-advertise for sealed bids under the same terms and conditions, and proceed with the adoption as in the first instance.

§ 7. It shall be the duty of the said Commission, during the month of June of the years in which existing contracts expire, by a majority vote of the entire Commission, to adopt from the authorized State list, of books submitted as hereinafter provided, a uniform series or system of text books for

use in the common schools and the high schools of the State, except in cities of the first and second classes, and to arrange for the distribution of such books to dealers at the net contract price. The Commission may from time to time make any regulations not contrary to the provisions of this act to secure the prompt and faithful performance of all contracts, and the prompt distribution of the books herein provided for.

§ 8. The Board of Education in any city of the first and second class shall constitute the Text Book Commission for such city, and as such its powers, duties, restrictions and penalties shall be identical with those provided by law for the State Text Book Commission; Provided, That the members of such Board, acting as a Text Book Commission, shall receive no compensation for their services; and Provided, further, that if any member of said Board shall be or become ineligible to serve as a member of the Text Book Commission of said city, then the other members of the Board are hereby empowered to fill such vacancy.

§ 9. The Commission, in the selection and adoption of a uniform series of text books for the State, shall consider the merits of the books, taking into consideration their subject matter, the printing, binding, material and mechanical qualities, their general suitability and desirability for the purposes intended, and the price.

§ 10. The uniform series of text books to be selected by the Commission shall include all branches required or that may hereafter be required by law to be taught in the common, elementary and high schools of the State, except as herein provided; and no text book shall contain anything of a partisan or sectarian character.

§ 11. After the adoption shall have been made the Commission shall award the contracts, and shall, by registered letter, notify bidders to whom contracts may have been awarded. It shall be stipulated in all contracts that the retail price to pupils shall not exceed the retail prices at which

the same book or books are sold in any state, county, township or school district in the United States.

§ 12. It shall be the duty of the State Superintendent of Public Instruction to prepare and have printed a form of contract between the State Text Book Commission and publishers of school books, said form of contract to be approved by the Attorney General, and no other form of contract shall be used by the State Text Book Commission and publishers in carrying out the provisions of this Act.

§ 13. It shall always be a part of the terms and conditions of every contract made in pursuance of this Act that the Commonwealth of Kentucky shall not be liable to any contractor or book company in any manner whatever, for any sum of money, and all such contractors or book companies shall receive their pay and compensation solely and exclusively from the proceeds of the sale of said books, as provided for in this Act.

§ 14. For the distribution and sale of books adopted by the State Text Book Commission to the patrons of the schools of the State, the County Board of Education or the City Board of Education shall appoint two or more responsible merchants or other agents in the counties and cities hereinabove mentioned, of good financial rating, in locations selected with reference to the convenience of the patrons of the schools, as dealers of text books, and such dealers shall sell the books adopted to the patrons and pupils of the common schools and high schools at a price not exceeding fifteen per cent advance of the net contract price of said books, and out of said excess over the net contract price so charged by such dealer he shall pay the transportation charges of said books. Said dealers shall exchange new books for old ones displaced by said adoption at the exchange price herein provided for, during the life of each and every contract made under the provisions of this Act. All bids and proposals shall set out clearly and specifically an exchange price at which such book or books shall be

furnished to pupils and patrons who may have old books of like subject, and which may be exchanged for new books, and the exchange price shall in all cases be subjected to the terms of the contract made between the State and any publisher bidding. Such new books as are held in Kentucky now by purchase, by dealers, and in good condition, shall be taken in exchange at the original net price by successful bidders from such dealers as hold in stock such books.

§ 15. Any agent or dealer, clerk or other person having or selling books adopted under this act, who shall ask or receive for any such book more than the lawful price therefor, as herein defined, or who shall refuse to exchange new books for old at the exchange price herein provided for, during the said exchange period, or who shall refuse to receive from patrons or pupils books owned by them that were adopted under such laws as are now in force in the State of Kentucky prior to this Act, and used in the common and high schools of the State, and to pay to them the exchange value thereof in cash for such old books, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than one hundred dollars nor more than one thousand dollars, and such fine shall be covered into the school fund of the county in which same is assessed. And this section shall apply to all future State adoptions of text books in Kentucky, as herein provided under this Act.

§ 16. On or before the first day of August of each year it shall be the duty of the State Board of Education to have printed a complete list of all the books adopted under the provisions of this Act, stating the net contract price, the exchange and the retail price of each, and to distribute such lists to county superintendents in such quantity as they may request. It shall be the duty of the county superintendent in each county to furnish such lists to all dealers and to the principal teachers of all schools in the county, and such dealers and teachers shall post the same conspicuously in their

sales rooms or school houses. Failure to comply with the provisions of this section by any of the parties herein named shall be punishable by a fine of not less than ten dollars nor more than twenty dollars, and upon conviction said fine shall be covered into the school fund of the county in which such fine is assessed.

§ 17. The books adopted by the Commission as the uniform system of text books for the State, shall be introduced and used as text books to the exclusion of all others in all the common schools and high schools of the State, except as herein provided, for a period of five years from the date of adoption, and it shall not be lawful for any teacher or other school officer to use, or for any board of education to permit to be used, any books upon the same branches other than those adopted by the Commission. However, nothing herein shall prevent the use of supplementary text books, but such supplementary books shall not be used to the exclusion of the books prescribed under the provision of this Act. Any member or members of any board of education, any trustee or teacher, violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction be punished by a fine of not less than ten dollars nor more than fifty dollars, and all such fines shall be covered into the treasury to the credit of the school fund of the county in which such fine may be assessed.

§ 18. Before the publishers of any school text books shall offer or submit bids or proposals to the State Text Book Commission for furnishing books to the common schools of the State, such publisher or publishers shall file a copy of the text book in the office of the State Superintendent of Public Instruction, with a sworn statement of the lowest net price at which said book is sold anywhere in the United States. Said publisher shall file with the State Superintendent of Public Instruction, as Chairman of the State Text Book Commission, a written agreement to furnish said book or books to the

dealers in the State, as hereinbefore provided, at the prices so filed, exclusive of transportation charges. Said publisher must further agree to reduce said prices in Kentucky if reductions are made elsewhere in the United States, so that at no time may any book be sold in Kentucky by the contractor at a higher net price than is received for the same book elsewhere. Said publisher shall agree further that all books offered for sale in Kentucky shall be equal in quality to those depositd in the office of the State Superintendent of Public Instruction, as regards paper, binding, printing, illustrations, and all points that may affect the value of said books.

§ 19. If any publisher shall furnish to any dealer or agent in this State any book or books inferior in any particular to the samples on file in the office of the State Superintendent of Public Instruction, or shall offer them at higher prices than those listed with the State Superintendent of Public Instruction, it shall become the duty of the State Board of Education of the State of Kentucky to authorize the State Superintendent of Public Instruction to investigate the failure of said publisher to comply with the terms of his contract. The State Superintendent shall thereupon notify the publisher of said non-compliance with the terms of his contract, and if said publisher shall disregard the notification and fail immediately to comply with the terms of his contract with the State through the State Text Book Commission, then the State Superintendent shall institute, through the Attorney General of the State, legal proceedings and prosecutions to recover damages and proper relief on the bond of the said publisher.

§ 20. When the publisher of any school text book or books shall offer the same for the purpose of submitting bids and proposals to furnish same to the schools of Kentucky, as herein provided, to the State Text Book Commission, and at the time of filing such text book in the office of the State Superintendent of Public Instruction, said publisher shall pay into the treasury of the State of Kentucky a filing fee of five dol-

lars for each book offered by said publisher: Provided, that when a series of books by the same author and upon the same subject, is offered for adoption, the publisher may file a fee of five dollars for the first book and one dollar for each additional book in said series, and where such series embraces both common and high school text books, it shall be regarded as two series. The fees thus received shall constitute a fund out of which, upon requisition made by the State Superintendent of Public Instruction, shall be paid the expenses of publishing lists and other information for the use of the State Text Book Commission, clerk hire and other necessary expenses in connection with the filing of all text books submitted for adoption in the State of Kentucky, and further, for defraying the actual necessary traveling expenses of those members of the State Text Book Commission who do not now draw salaries or derive other emoluments as officials of the State. If there should be any balance of such fund remaining upon the first day of January of the fifth year following the completion of the adoption of text books, it shall be placed to the credit of the State school fund.

§ 21. When any publisher of school text books shall file with the State Superintendent of Public Instruction samples and lists provided for under this Act, said publisher at the same time shall be required to file a sworn statement that he has no understanding or agreement of any kind with any other publisher, or interest in the business of any other publisher, with the effect, design or intent to control the prices of such books, or to restrict competition in the adoption or sale thereof.

§ 22. If at any time a publisher shall enter into any understanding, agreement or combination to control the prices, or to restrict competition in the adoption or sale of school text books or if the statement required of said publisher in the preceding sections shall be untrue in any respect, then the Attorney General shall institute and prosecute legal

proceedings for the forfeiture of the bond of said publisher, and for the revocation of his authority to sell school books in the State of Kentucky, and all contracts made by said publisher under this Act shall thereupon become null and void, at the option of the State Board of Education.

§ 23. Any firm or corporation publishing text books and qualified to sell text books under this Act in the State of Kentucky, under contract made with the State Text Book Commission, who shall directly or indirectly contribute any money or thing of value whatever to the campaign fund of any political party, or to the campaign fund of any person who is a candidate for office in this State, or in any district, city or county thereof, or to the campaign fund of any person who is a candidate for nomination for office in this State, or in any district, county or city thereof, or shall give any money or valuable property whatsoever to any member of the State Text Book Commission, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five thousand dollars nor more than twenty thousand dollars, in the discretion of the jury, and such act on the part of said firm, corporation or publisher, or any agent thereof, shall also be considered a breach of the bond made by said firm, corporation or publisher, with the State, and the venue of the action shall be within any county in the State wherein said act was committed, or in the Franklin Circuit Court, and the State Board of Education or any member of the State Text Book Commission, or any citizen of the State of Kentucky, in any county where the offense is committed, shall have the right to prosecute by legal process an action for the breach of said bond, and the amount so recovered for such fines and for such breach shall be turned over to the Treasury of Kentucky for the benefit of the State school fund.

§ 24. Any member of the State Text Book Commission who shall solicit, accept or receive any money, gift or any other property of value, or favor, whatsoever, from any per-

son, firm, corporation or publisher qualified to sell books in Kentucky, or from any agent thereof, or any other person in any way interested in the sale of text books, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and such fine shall be turned over to the treasury of the State of Kentucky for the benefit of the school fund of the State.

§ 25. No person who has been employed by or acted as agent for any text book company, or has in any way been interested in the sale or adoption of text books adopted under this Act, or for text books which were submitted for adoption under this Act, shall be permitted to teach in any public school of the State for a period of two years thereafter; and should such person accept employment as superintendent, principal or teacher in any school receiving, directly or indirectly, financial aid from the State, for a period of two years thereafter, he shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and all such fines shall be covered into the treasury of Kentucky for the benefit of the State school fund.

§ 26. The State Text Book Commission shall have authority, after having examined thoroughly all books submitted for adoption, to go into executive session and exclude all agents of all publishers, after a date set by said Commission, from further interviews and representations, and it shall be a misdemeanor, after such date has been declared, for the agent of any publisher, or for any person or agent whatever, representing such publisher, to be present in any such executive sessions, and upon being found guilty, such agent, person or publisher shall be punished by a fine of not less

than one thousand dollars nor more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and all such fines shall be covered into the treasury of Kentucky for the benefit of the State school fund.

§ 27. To insure compliance with the aforesaid conditions under which school text books may be sold in the State of Kentucky, the publisher shall file with the State Board of Education of Kentucky a bond of not less than ten thousand dollars nor more than fifty thousand dollars, the amount to be fixed by the State Board of Education upon compliance with the provisions of the preceding sections, and the bond to be approved by the said Board. The publisher shall thereupon be qualified to sell books as herein provided in this Act, in the State of Kentucky.

§ 28. Any publisher who shall offer for adoption to the State Text Book Commission any school text books of any kind, without first qualifying therefor under the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five hundred dollars nor more than five thousand dollars, and such fine shall be covered into the treasury of the State of Kentucky for the benefit of the State school fund.

§ 29. Inasmuch as the present adoption of text books expires during the present year, and the adoption to be made under this act must be made in time to be effective at the opening of schools during the month of July next, and to extend over a period of five years therefrom, an emergency is hereby declared to exist, and this Act shall take effect and be in force from and after its passage and approval by the Governor.

Together with the substitute, amendment heretofore offered to said bill by the Committee and the sundry amendments offered to said substitute.

Said amendment, by way of substitute, reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created for the Commonwealth of Kentucky a State Text Book Commission, which shall consist of the followning members to-wit: The State Superintendent of Public Instruction, who shall be chairman of said Board, but who shall not vote except in case of a tie, and eleven other members, one chosen from each congressional district of the State, and who shall serve for a period of four years from the date of appointment. The said eleven members shall be chosen as follows: The State Board of Education shall nominate from each congressional district, three persons, one of whom the Governor shall appoint to serve on said commission. No person shall be nominated or appointed who is the author of any text book published for use in the common and high schools, or who has been in the employ as a traveling salesman or otherwise, of any publisher of school text books, within a period of five years prior to the date of his appointment. Seven of the eleven members so nominated and so appointed shall be professional school men who have served in the public schools of the Commonwealth for at least five years prior to any adoption under this Act. Two of the other four members shall be selected on account of their knowledge of the merits of text books, quality of binding, quality of printing, and all other features pertaining to the make-up of first class text books, printing and binding, and the other two members may be professional or business men. No member of said Commission shall receive any compensation for said services. At the end of the term for which said Commission shall have been appointed, and every four years thereafter, the State Board of Education shall nominate, and the Governor shall appoint, as hereinabove provided in this section.

§ 2. Each member of said Commission shall qualify by taking and subscribing to an oath faithfully to discharge his

duties as required by this law, and the said affidavit shall be filed, in writing, in the office of the Superintendent of Public Instruction.

§ 3. The members of the State Text Book Commission as thus constituted shall meet on the call of the chairman, or on a call signed by a majority of the members, in the office of the chairman within four weeks after the date of their appointment of the years in which existing contracts expire, and shall organize at the April meeting of said Commission. The Commission shall elect a Secretary, who shall keep complete records of all meetings, and all such records and all contracts shall be signed by the Chairman and Secretary.

§ 4. The State Text Book Commission shall advertise in one or more daily, or other newspapers, or by written notification to all qualified publishers, as hereinafter provided, that at a time fixed in the notice and at a place fixed definitely in the notice, sealed bids or proposals will be received from the publishers of school text books for furnishing books to the common schools and in the high schools of the State of Kentucky, in accordance with the provisions of this law and such regulations as the Commission may prescribe. Such advertisement or notifications shall reserve to the Commission the right to reject any and all bids.

§ 5. Such bids and proposals shall be for furnishing books during a period of five years, and no longer. The bids shall state specifically the list price, the net contract prices at which books are to be furnished to dealers within a county, and the exchange and retail prices to pupils, and shall be accompanied by a specimen copy of every book proposed to be furnished. All bids shall be sealed and deposited with the Chairman of the Commission, to be by him delivered to the Commission in executive session, when they shall be opened in the presence of the Commission. It shall be the duty of the Chairman of the Commission to carefully preserve in his office for comparison the specimen copy of each of the books

adopted, together with the original bid or proposal, and when requested, to return to the publishers the specimen copies of other books submitted at their expense.

§ 6. The Commission shall have and reserve the right to reject any and all bids for reasons satisfactory to a majority of the Commission. In case of failure to select, from the bids submitted, a satisfactory text book upon any of the branches prescribed by law, the Commission shall re-advertise for sealed bids under the same terms and conditions, and proceed with the adoption as in the first instance.

§ 7. It shall be the duty of the said Commission in the month of June of the years in which existing contracts expire, by a majority vote of the entire Commission, to adopt from the authorized State list of books submitted, as hereinafter provided, a uniform series of system of text books for use in the common schools and the high schools of the State, except in cities of the first, second and third classes, and to arrange for the distribution of such books to dealers at the net contract price. The Commission may from time to time make any regulations not contrary to the provisions of this Act to secure the prompt and faithful performance of all contracts, and the prompt distribution of the books herein provided for.

§ 8. The Board of Education in any city of the first, second and third class shall constitute the Text Book Commission for such city and as such, its powers, duties, restrictions and penalties shall be identical with those provided by law for the State Text Book Commission; Provided, that the members of such Board, acting as a Text Book Commission, shall receive no compensation for their services; and provided, further, that if any member of said Board shall be or become ineligible to serve as a member of the Text Book Commission of said city, then the other members of the Board are hereby empowered to fill such vacancy.

§ 9. The Commission, in the selection and adoption of a

uniform series of text books for the State, shall consider the merits of the books, taking into consideration their subject matter, the printing, binding, material and mechanical qualities, their general suitability and desirability for the purposes intended, and the price.

§ 10. The uniform series of text books to be selected by the Commission shall include all branches required or that may hereafter be required by law to be taught in the common, elementary and high schools of the State, except as herein provided; and no text book shall contain anything of a partisan, sectional or sectarian character.

§ 11. After the adoption shall have been made the Commission shall award the contracts, and shall, by registered letter, notify the bidders to whom contracts may have been awarded. It shall be stipulated in all contracts that the net contract price shall not exceed the net prices at which the same book or books are sold in any state, county, township or school district in the United States.

§ 12. It shall be the duty of the State Superintendent of Public Instruction to prepare and have printed a form of contract between the State Text Book Commission and publishers of school books, said form of contract to be approved by the Attorney General, and no other form of contract shall be used by the State Text Book Commission and publishers in carrying out the provisions of this Act.

§ 13. It shall always be a part of the terms and conditions of every contract made in pursuance of this Act, that the Commonwealth of Kentucky shall not be liable to any contractor or book company in any manner whatever, for any sum of money, and all such contractors or book companies shall receive their pay and compensation solely and exclusively from the proceeds of the sale of said books, as provided for in this Act.

§ 14. For the distribution and sale of books adopted by the State Text Book Commission to the patrons of the schools

in the State, the County Board of Education, or the City Board of Education, as herein provided, shall appoint two or more responsible merchants or other agents in the counties and cities hereinabove mentioned, of good financial rating, in locations selected with reference to the convenience of the patrons of the schools, as dealers of text books, and such dealers shall sell the books adopted to the patrons and pupils of the common schools and high schools at a price not exceeding fifteen per cent advance of the net contract price of said books, and out of said excess over the net contract price so charged by such dealer he shall pay the transportation charges of said books. Said dealers shall exchange new books for old ones of the same grade, displaced by said adoption, at the exchange price herein provided for, during the first and second years of the life of each and every contract made under the provisions of this Act. All bids and proposals shall set out clearly and specifically an exchange price at which such book or books shall be furnished to pupils and patrons who may have old books of the same subject, and which may be exchanged for new books, and the exchange price shall in all cases be subject to the terms of the contract made between the State and any publisher bidding. Such new books as are now held in Kentucky, or at any future adoption, by purchase, by dealers, and in good condition, shall be taken in exchange at the original net price by successful bidders from such dealers as hold in stock such books.

§ 15. There shall be placed in clear, readable type, on the outside cover of the back of every book sold in the State under the terms of this Act, the retail price and the exchange price of said book, with the following caution to the public, to-wit: "The prices printed hereon are fixed by the State contract and any higher prices are unlawful; any deviation therefrom should be reported to your County Superintendent or to the State Text Book Commission at Frankfort.

Any agent or dealer, clerk or other person having or selling books adopted under this Act, who shall ask or receive for

any such book more than the lawful price therefor, as herein defined, or who shall refuse to exchange new books for old at the exchange price herein provided for, during the said exchange period, or who shall refuse to receive from patrons or pupils books owned by them that were adopted under such laws as are now in force in the State of Kentucky prior to this Act, and used in the common and high schools of the State, and to pay to them the exchange value thereof in cash for such old books, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than one hundred dollars, nor more than one thousand dollars, and such fine shall be covered into the school fund of the county in which same is assessed. And this section shall apply to all future State adoptions of text books in Kentucky, as herein provided under this Act.

§ 16. On or before the first day of August of each year it shall be the duty of the State Board of Education to have printed a complete list of all the books adopted under the provisions of this act, stating the net contract price, the exchange and the retail price of each, and to distribute such lists to county superintendents in such quantity as they may request. It shall be the duty of the county superintendent in each county to furnish such lists to all dealers and to the principal teachers of all schools in the county, and such dealers and teachers shall post the same conspicuously in their sales rooms or school houses. Failure to comply with the provisions of this section by any of the parties herein named shall be punishable by a fine of not less than ten dollars nor more than twenty dollars, and upon conviction said fine shall be covered into the school fund of the county in which such fine is assessed.

§ 17. The books adopted by the Commission as the uniform system of text books for the State, shall be introduced and used as text books to the exclusion of all others in all the common schools and high schools of the state, except as herein provided, for a period of five years from the date of

adoption, and it shall not be lawful for any teacher or other school officer to use, or for any board of education to permit to be used, any books upon the same branches other than those adopted by the Commission. However, nothing herein shall prevent the use of supplementary text books, but such supplementary books shall not be used to the exclusion of the books prescribed under the provisions of this Act. Any member or members of any board of education, any trustee or teacher, violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction be punished by a fine of not less than ten dollars nor more than fifty dollars, and all such fines shall be covered into the treasury to the credit of the school fund of the county in which such fine may be assessed.

§ 18. Before the publishers of any school text book shall offer or submit bids or proposals to the State Text Book Commission for furnishing books to the common schools of the State, such publisher or publishers shall file a copy of the text book in the office of the State Superintendent of Public Instruction, with a sworn statement of the lowest net price at which said book is sold anywhere in the United States. Said publisher shall file with the State Superintendent of Public Instruction, as Chairman of the State Text Book Commission, a written agreement to furnish said book or books to the dealers in the State, as hereinbefore provided, at the prices so filed, exclusive of transportation charges. Said publisher must further agree to reduce said prices in Kentucky if reductions are made elsewhere in the United States, so that at no time may any book be sold in Kentucky by the contractor at a higher net price than is received for the same book elsewhere. Said publisher shall agree further that all books offered for sale in Kentucky shall be equal in quality to those deposited in the office of the State Superintendent of Public Instruction, as regards paper, binding, printing, illustrations, and all points that may affect the value of said books.

§ 19. If any publisher shall furnish to any dealer or agent in this State any book or books inferior in any particular to the samples on file in the office of the State Superintendent of Public Instruction, or shall offer them at higher prices than those listed with the State Superintendent of Public Instruction, it shall become the duty of the State Board of Education of the State of Kentucky to authorize the State Superintendent of Public Instruction to investigate the failure of said publisher to comply with the terms of his contract. The State Superintendent shall thereupon notify the publisher of said non-compliance with the terms of his contract, and if said publisher shall disregard the notification and fail immediately to comply with the terms of his contract with the State through the State Text Book Commission, then the State Superintendent shall institute, through the Attorney General of the State, legal proceedings and prosecutions to recover damages and proper relief on the bond of the said publisher.

§ 20. When the publisher of any school text book or books shall offer the same for the purpose of submitting bids and proposals to furnish same to the schools of Kentucky, as herein provided, to the State Text Book Commission, and at the time of filing such text book in the office of the State Superintendent of Public Instruction, said publisher shall pay into the treasury of the State of Kentucky a filing fee of five dollars for each book offered by said publisher; provided, that when a series of books by the same author and upon the same subject, is offered for adoption, the publisher may file a fee of five dollars for the first book and one dollar for each additional book in said series, and where such series embrace both common and high school text books, it shall be regarded as two series. The fees thus received shall constitute a fund out of which, upon requisition made by the State Superintendent of Public Instruction, shall be paid the expenses of publishing lists and other information for the use of the State Text Book Commission, clerk hire and other

necessary expenses in connection with the filing of all text books submitted for adoption in the State of Kentucky and further, for defraying the actual necessary traveling expenses of those members of the State Text Book Commission who do not now draw salaries or derive other emoluments as officials of the State. If there should be any balance of such fund remaining upon the first day of January of the fifth year following the completion of the adoption of text books, it shall be placed to the credit of the State school fund.

§ 21. When any publisher of school text books shall file with the State Superintendent of Public Instruction samples and lists provided for under this Act, said publisher at the same time shall be required to file a sworn statement that he has no understanding or agreement of any kind with any other publisher, or interest in the business of any other publisher, with the effect, design or intent to control the prices of such books, or to restrict competition in the adoption or sale thereof.

§ 22. If at any time a publisher shall enter into any understanding, agreement or combination to control the prices, or to restrict competition in the adoption or sale of school text books, or if the statement required of said publisher in the preceding sections shall be untrue in any respect, then the Attorney General shall institute and prosecute legal proceedings for the forfeiture of the bond of said publisher, and for the revocation of his authority to sell school books in the State of Kentucky, and all contracts made by said publisher under this Act shall thereupon become null and void, at the option of the State Board of Education.

§ 23. Any firm or corporation publishing text books and qualified to sell text books under this Act in the State of Kentucky, under contract made with the State Text Book Commission, who shall directly or indirectly contribute any money or thing of value whatever to the campaign fund of any political party, or to the campaign fund of any person

who is a candidate for office in this State, or in any district, city or county thereof, or to the campaign fund of any person who is a candidate for nomination for office in this State, or in any district, county or city thereof, or shall give any money or valuable property whatsoever to any member of the State Text Book Commission, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five thousand dollars nor more than twenty thousand dollars, in the discretion of the jury, and such act on the part of said firm, corporation or publisher, or any agent thereof, shall also be considered a breach of the bond made by said firm, corporation or publisher, with the State, and the venue of the action shall be within any county in the State wherein said act was committed, or in the Franklin Circuit Court, and the State Board of Education or any member of the State Text Book Commission, or any citizen of the State of Kentucky, in any county where the offense is committed, shall have the right to prosecute by legal process an action for the breach of said bond, and the amount so recovered for such fines and for such breach shall be turned over to the Treasury of Kentucky for the benefit of the State school fund.

§ 24. Any member of the State Text Book Commission who shall solicit, accept or receive any money, gift or any other property of value, or favor, whatsoever, from any person, firm, corporation or publisher qualified to sell text books in Kentucky, or from any agent thereof, or any other person in any way interested in the sale of text books, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and such fine shall be turned over to the treasury of the State of Kentucky for the benefit of the school fund of the State.

§ 25. Any teacher or educator in the employment of any book company, or publisher of school books, who shall either

directly or indirectly use his influence or attempts to influence the State Text Book Commission or any member thereof, for the adoption of any book or books shall be guilty of a misdemeanor and upon conviction, shall be fined not less than one hundred dollars or more than five hundred dollars unless he shall have registered with the chairman of the State School Book Commission stating whether or not he has been employed by any school book company or publisher of school books, if so with what company and the terms and conditions of his employment.

§ 26. The State Text Book Commission shall have authority, after having examined thoroughly all books submitted for adoption, to go into executive session and exclude all agents of all publishers, after a date set by said Commission, from further interviews and representations, and it shall be a misdemeanor, after such date has been declared, for the agent of any publisher, or for any person or agent whatever, representing such publisher, to be present in any such executive sessions, and upon being found guilty, such agent, person or publisher shall be punished by a fine of not less than one thousand dollars nor more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and all such fines shall be covered into the treasury of Kentucky for the benefit of the State school fund.

§ 27. To insure compliance with the aforesaid condition under which school text books may be sold in the State of Kentucky, the publisher shall file with the State Board of Education of Kentucky a bond of not less than ten thousand dollars nor more than fifty thousand dollars, the amount to be fixed by the State Board of Education upon compliance with the provisions of the preceding sections, and the bond to be approved by the said board. The publisher shall thereupon be qualified to sell books as herein provided in this Act, in the State of Kentucky.

§ 28. Any publisher who shall offer for adoption to the State Text Book Commission any school text books of any kind, without first qualifying therefor under the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five hundred dollars nor more than five thousand dollars, and such fine shall be covered into the treasury of the State of Kentucky for the benefit of the State School Fund.

§ 29. Inasmuch as the present adoption of text books expires during the present year, and the adoption to be made under this act must be made in time to be effective at the opening of schools during the month of July next, and to extend over a period of five years therefrom, an emergency is hereby declared to exist, and this Act shall take effect and be in force from and after its passage and approval by the Governor.

§ 30. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

The Committe offered the following amendment to said substitute:

Amend by striking out Section 8 and by inserting in lieu thereof the following:

"The provisions of this Act shall not apply to the Boards of Education in cities of the first, second, third and fourth class cities, but the Act of 1910, regarding cities of the first, third and fourth class, and the Act of 1912, regarding cities of the second class shall be and remain in force unaffected by this Act."

Said amendment was agreed to.

Mr. Phelps offered the following amendment to said substitute:

Amend House Bill No. 27, by adding at the end of Section 28 thereof, the following words:

"The provisions of this Act shall not apply to any city of the first, second, third or fourth class or to any graded common school, or county high school, and the Board of Trustees or Board of Education of all such schools shall have the right to make the adoption of books according to the provisions of this Act."

Said amendment was disagreed to.

The Committee on Education No. 2, to which said bill had been referred, offered the following amendments to said substitute:

Amend Section 7, by striking out the words, "the month of June of" in lines one and two of Section 7, on page 4, also by striking out the word "and" between second and third in line 6, of Section 7, and by inserting after the word "third" in line 6, of Section 7, the words "and fourth."

Amend Section 14, line 14, on page 6, by striking out the words "and second years" and substituting therefor the word "year."

Amend Section 15, page 7, line 15, by striking out the word "pay" and substituting therefor the word "allow."

Amend Section 15, page 7, line 16, by striking out the words "in cash" and amend same section, line 16, by inserting after the word "books" the following: "In exchange for the corresponding new books of the same grade."

Amend Section 7, by inserting after the word "distribution" in line 7, of Section 7, the words "and sale."

Amend Section 11, line 4, on page 5, by striking out the words "net contract price" and insert therein the words "retail prices" and amend same section, same line, same page, by striking out the word "net" and insert therefor, before the word "prices," the word "retail."

Amend Section 14, by striking out the words "such dealers shall sell the books adopted to the patrons and pupils of the common schools and high schools at a price not exceeding fifteen per cent advance of the net contract price of said books and out of said excess over the net contract price so charged by such dealer, he shall pay the transportation charges of said books," beginning after the word "and" in line 7 and ending with the word "books" in line 12, and insert in lieu thereof "and such dealers shall receive fifteen per cent of the retail price at which the same books are sold and out of the said fifteen per cent of the retail price, at which the said books are sold such dealer shall pay the transportation charges and all other charges on the said books."

Said amendments were severally agreed to.

Mr. Roy S. Wilson offered the following amendment to said substitute:

Amend Section 4 by striking out from line 6, the words "and in the high schools."

Amend Section 7 by striking out from line 5, the words, "and the high schools."

Amend Section 7 by inserting in line 6 after the word "third," the additional words, "fourth and fifth and sixth."

Amend Section 8 by inserting after the word "third" in line one, the additional words "fourth, fifth and sixth."

Amend Section 17, by striking out from line three after the word "schools" the words, "and high schools."

Said amendments were severally disagreed to.

Mr. Harry J. Meyers offered the following amendment to said substitute:

Amend by striking out Section 1 and inserting in lieu thereof the following: Sec. 1. There is hereby created a State Text Book Commission to be composed of the following members:

The Governor, who shall be ex-officio chairman of said Commission; the Superintendent of Public Instruction, who shall be ex-officio Secretary of said Commission; one member of the faculty of each of the State Normal Schools at Richmond and Bowling Green; one member of the faculty of the State University, and one educator of high qualifications, actually engaged in educational work, from each of the appellate court districts. All members except the two ex-officio members shall be appointed by the Governor in the month of April, in the year 1914, and every four years thereafter. Said appointive members shall serve for a term of four years from and after their appointment, and any vacancies on said Commission shall be filled in the same manner as original membership is determined.

Said amendment was agreed to.

Mr. Mobley moved that the session of the day be extended until the business under consideration is disposed of.

Said motion was agreed to.

Mr. Spahn offered the following amendment to said substitute:

Amend Section 9 by adding thereto the following:

"Providing that no book or books shall be adopted or contracted for to be sold to pupils or patrons at a higher price or prices than the prices now and heretofore provided for under State contract in this State."

Said amendment was disagreed to.

Mr. Roy S. Wilson moved that all pending amendments to said substitute be now tabled.

The yeas and nays being required thereon on said motion by Messrs. Duffy and Hutchcraft, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Burton	J. J. Huff	B. T. Rountree
Benjamin L. Cox	William J. Kuh	A. W. Sharp
John W. Douglas	Simon B. Lott	L. M. Smith
H. C. Duffy	C. R. Luker	M. O. Wilson
John F. Fryer	Geo. M. McDowell	Roy S. Wilson
C. M. Gum	J. D. Pumphrey	—17

Those who voted in the negative were—

Harry Avery	James R. Dorman	E. V. Hall
James W. Barrall	John Drescher	Elwood Hamilton
Henry C. Blades	John C. Duffy	W. L. Hampton
Joseph Boitnott	William Duffy	H. H. Harrington
Elmer L. Brown	Odie Duncan	H. H. Hays
Glover H. Cary	G. P. Durrett	W. E. Henninger
Ed. F. Cecil	Ed. Frost	Dr. S. L. Henry
J. G. Coke, Jr.	Frank C. Greene	D. H. Hillman

R.B.Hutchcraft Jr.	S. Mazyck O'Brien	S. M. Saufley
J. M. Johnson	A. J. Oliver	W. A. Shawler
T. R. Jones	Lyman J. Parrigin	Adam Spahn
John H. Klette	Lilburn Phelps	Ed. D. Stone
Dr.J.N.M'Cormack	William A. Perry	W. T. Stott
W. T. McNally	Dr. T. J. Poteet	N. C. Tilford
John G. Miller, Jr.	W. A. Price	M. S. Walton, Jr.
T. T. Mobley	Richard Radcliffe	James T. Webb
J. R. Mount	Dr. W. R. Ray	W. M. Webb
Harry J. Myers	Stanley F. Reed	N. B. White
Zach. L. Myers	S. H. Rogers	J. D. Wills
John E. Newman	W. E. Rogers	Douglas G. Wood
C. B. Nichols		—61

And so said motion was disagreed to.

Said substitute, as amended, was adopted.

Ordered that said bill as amended by said substitute be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length, being dispensed with, and the same being engrossed, it was read the third time by its title and passed as amended.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Glover H. Cary	William Duffy
Harry Avery	Ed. F. Cecil	Odie Duncan
James W. Barrall	J. G. Coke, Jr.	G. P. Durrett
Henry C. Blades	James R. Dorman	Thomas J. Evans
Joseph Boitnott	John Drescher	M. J. Farris, Jr.
Elmer L. Brown	John C. Duffy	Ed. Frost

Frank C. Greene	W. T. McNally	Stanley F. Reed
E. V. Hall	John G. Miller, Jr.	S. H. Rogers
Elwood Hamilton	T. T. Mobley	W. E. Rogers
W. L. Hampton	J. R. Mount	S. M. Saufley
H. H. Harrington	Harry J. Myers	A. W. Sharp
J. B. Harvey	Zach. L. Myers	W. A. Shawler
H. H. Hays	John E. Newman	Adam Spahn
W. E. Henninger	C. B. Nichols	Ed. D. Stone
Dr. S. L. Henry	S. Mazyck O'Brien	W. T. Stott
D. H. Hillman	A. W. Palmer	N. C. Tilford
R.B.Hutchcraft Jr.	Lyman J. Parrigin	M. S. Walton, Jr.
J. M. Johnson	Lilburn Phelps	James T. Webb
T. R. Jones	John A. Polin	W. M. Webb
Griffin Kelly	Dr. T. J. Poteet	N. B. White
John H. Klette	J. D. Pumphrey	J. D. Wills
Simon B. Lott	Richard Radcliffe	M. O. Wilson
Dr.J.N.M'Cormack	Dr. W. R. Ray	Roy S. Wilson
Geo. M. McDowell		—70

Those who voted in the negative were—

C. W. Burton	H. C. Duffy	L. M. Smith
Benjamin L. Cox	John F. Fryer	
John W. Douglas	C. M. Gum	—7

Resolved, That the title thereof be as aforesaid.

Mr. Harry J. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

And then the House adjourned.

FRIDAY, FEBRUARY 6, 1914.

The House was opened with prayer by the Rev. Robert L. Cowan, of the Southern Presbyterian Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Hamilton moved that when this House adjourns today it adjourn to meet Monday, February 9, 1914, at 1:00 P. M., and that the adjournment be out of respect to the memory of Mr. W. F. Spahn, an employe of this House who departed this life on February 5, 1914.

Said motion was agreed to.

Upon the call of the counties and representative districts bills were introduced, ordered printed, and referred as follows:

By Mr. Harvey:

H. B. 439. An Act to prevent the shipping out of this State and butchering of veal calves.

To Committee on Commerce and Manufacturing.

By Mr. Boitnott:

H. B. 440. An Act to amend an Act, entitled, "An Act to incorporate the Kentucky Confederate Home, and pro-

viding for the maintenance thereof," approved March 27, 1902, amended March 26, 1904, March 21, 1906, March 19, 1910, and March 18, 1912.

By Mr. Tieman:

H. B. 441. An Act to repeal an Act entitled, "An Act to amend the Charter of the Twelve Mile Turnpike Company," approved March 1, 1854, which was approved January 22, 1867, and is Chapter 1069 of the session act of 1867, and amended March 25, 1898, and is Chapter 62 of the session act of 1898.

To Committee on Public Roads and Highways.

By Mr. Greene:

H. B. 442. An Act to amend an Act of March 5, 1898, entitled, "An Act to create a Board of Penitentiary Commissioners and to regulate the penal institutions of this Commonwealth as further amended by an Act of March 1, 1912, and to provide for the discontinuance of the contract system of prison labor."

To Committee on Prisons and Houses of Reform.

By Mr. Greene:

H. B. 443. An Act to prohibit the setting of steel-traps, dead-falls, snares or other trap or device on the land of another without permission of owner and fixing a penalty for the violation thereof.

To Committee on Fish and Game.

By Mr. Hamilton:

H. B. 444. An Act to amend Section 699, Kentucky Statutes, relating to re-insurance in unauthorized companies.

To Committee on Fire and Marine Insurance.

By Mr. Tilford:

H. B. 445. An Act to relieve the County Boards of Education from paying the debts of common school districts, created prior to 1908, that have since become Graded Schools.

To Committee on Education No. 1.

By Mr. Barrett:

H. B. 446. An Act to prevent the giving of trading stamps.

To Committee on Commerce and Manufacturing.

By Mr. Perry:

H. B. 447. An Act relating to Fiscal Courts in counties in this Commonwealth in which there is located a city of the first class.

To Committee on Judiciary.

By Mr. McNally:

H. B. 448. An Act to render voidable hasty settlements of claims for personal injuries.

To Committee on Judiciary.

By Mr. McNally:

H. B. 449. An Act defining and prescribing a punishment for the offense of Barratry.

To Committee on Judiciary.

By Mr. Klette:

H. B. 450. An Act to prohibit the representative of any book company, furnishing books used in educational institutions supplied in whole or in part by money appropriated out of the State Treasury from holding the position of Trustee or members of the Board of Regents of any such institution.

To Committee on Education No. 1.

By Mr. Rogers:

H. B. 451. An Act providing for the destruction of carcasses of swine dying from cholera or other diseases.

To Committee on Agriculture

By Mr. Reed:

H. B. 452. An Act for the adoption of a State Flag.

To Committee on Public Offices.

By Mr. Reed:

H. B. 453. An Act providing for the method of nominating and electing Judges of the Court of Appeals and Circuit Judges.

To Committee on Court of Appeals.

By Mr. Phelps:

H. B. 454. An Act regulating the collection and disbursement of road funds in towns of the sixth class.

To Committee on Cities of Fifth and Sixth Class.

Mr. Mount offered the following resolution:

Said resolution reads as follows:

Whereas, Woodrow Wilson, President of the United States, is giving to our country a fair and just administration of the laws, and with the assistance of a Democratic Congress is legislating against evils which have burdened the people for many years, and,

Whereas, a law has been written into the Federal Statutes, doing away with a high tariff, which unduly and unjustly taxed the great body of American citizens, bringing about the high cost of living and other injustices; also a statute correcting the currency system of this country, which has been a source of many evils for many years past, thereby correcting the abuses of powers and rights which had grown up in former Administrations, and,

Whereas, President Wilson has outlined and set on foot a plan of dealing with and legislating against the trusts and big businesses of our country, which will not only tend to correct the evils as now existing, but will bring about relief in such a way as to retain the financial equilibrium and prosperity of this country; now, therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky in Convention Assembled:

That the administration of the affairs of our country by President Woodrow Wilson, and the present Democratic

Congress, be unqualifiedly commended and endorsed; and further, that a copy of these resolutions be forwarded to the President of the United States.

Ordered that said resolution lie on the Clerk's desk.

Mr. Farris presented a petition of sundry citizens of Boyle County, requesting the members of the Senate and House of Representatives to submit to the people of Kentucky, for their vote, an amendment to the Constitution prohibiting both the manufacture, transportation and sale of intoxicating liquors in Kentucky.

Said petition was received, read and referred to the Committee on Constitutional Amendments.

Mr. Hampton presented a petition signed by sundry citizens of Hickman County requesting the General Assembly of Kentucky to enact Senate Bill 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Luker presented a petition signed by sundry citizens of Laurel County, urging the General Assembly of Kentucky to enact Senate Bill 109, looking to the further regulation of Fire Insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Walton presented a petition signed by sundry citizens and property owners of Lexington, urging the General Assembly of Kentucky to enact Senate Bill 109, looking to the further regulation of Fire Insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

The Committee to which the same had been referred reported bills of the following titles:

By Mr. Farris, of the Committee on Agriculture:

H. B. 197. An Act to promote agriculture by providing for inspection of agricultural seeds.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Hutchcraft, of the Committee on Banks and Banking.

H. B. 346. An Act to amend an Act entitled, "An Act to establish a Department of Banking, providing for the appointment of a commissioner, deputy commissioner and examiner thereof, and prescribing their duties, and for the examination of all financial institutions organized and doing business under the laws of this Commonwealth," which act became a law upon the approval of the Governor on March 1, 1912.

With an amendment thereto.

By Mr. Spahn, of the Committee on Commerce and Manufacturing:

H. B. 310. An Act permitting proprietors of repair shops to sell articles upon which the charges have not been paid.

By Mr. Drescher, of the Committee on County and City Courts.

H. B. 316. An Act relating to Fiscal Courts in counties containing cities of the second class.

By same:

H. B. 245. An Act fixing the jurisdiction of County Judges in criminal cases.

With an amendment thereto.

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 168. An Act to amend Section 171 of the Constitution of the Commonwealth of Kentucky.

Without expression of opinion.

Mr. Greene moved that the Committee on Insurance, Fire and Marine, which has under consideartion H. B. 275, report said bill to the House that it be given its first reading and placed on the calendar.

Said motion was agreed to.

By Mr. Evans, of the Committee on Insurance, Fire and Marine:

H. B. 275. An Act to amend Sections One, Two, Four, Five, Six and Thirteen of Chapter 5 of the Acts of 1912, entitled, "An Act relating to Fire, Lightning, Hail, Windstorm and Sprinkler Leakage Insurance, and to regulate and control the rates of premium thereon and creating a State In-

surance Board and defining the powers and duties of said Board," and to further amend said Act by enacting Subsection 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board affecting insurance risks and rates thereon and fixing a penalty for its violation.

Without expression of opinion.

By same:

H. B. 345. An Act providing for the licensing of local fire insurance agents in Kentucky; prescribing certain qualifications that agents must possess before eligible to being licensed and conditions upon which such license may be granted; creating and defining the powers and duties of a Board of Examiners for the purpose of carrying out the provisions of this Act; and prescribing a penalty for its violation.

By same:

H. B. 182. An Act to amend Section 687 (Chapter 32, Article IV, Sub-division IV.), Kentucky Statutes, regulating the risks to be taken by Insurance Companies other than life—the character of the risks that may be taken—the deposit to be made by certain companies with the Treasurer—the reports of such companies, the limit of risks and liability of officers for exceeding limit.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 204. An Act to prohibit the Attorney General, his assistants, Commonwealth, County and City Attorneys and their assistants, and all judicial officers of this Commonwealth from accepting or holding employment of or by any

public service corporation, and to prohibit such named corporations from employing or keeping in their employment, the officers designated.

By Same:

H. B. 109. An Act to amend an Act entitled, "An Act to establish a State Board of Embalming, defining the duties thereof, to provide for the better protection of life and health, and to prevent the spread of contagious diseases, to regulate the practice of embalming in connection with the care and disposition of the dead, and to provide a penalty for the violation thereof," which was approved March 22, 1904.

By Mr. Hutchcraft, of the Committee on Kentucky Statutes:

H. B. 381. An Act establishing a State Athletic Board of Control.

With amendments thereto.

By Mr. O'Brien, of the Committee on Municipalities:

H. B. 125. An Act to secure the registration of plumbers and the supervision and inspection of plumbing and drainage in cities of the first and second class.

By Mr. J. T. Webb, of the Committee on Suffrage and Election:

H. B. 201. An Act requiring persons hereafter elected to office, to take, in addition to the oaths now prescribed by law, an oath that they have not violated the laws against bribery in elections within one year next preceding their election.

Mr. J. T. Webb moved that the Committee on Public Roads and Highways, which has under consideration H. B. No. 51, report said bill to the House, that it be given its first reading and placed on the calendar.

Said motion was agreed to.

By Mr. McDyer, of the Committee on Public Roads and Highways:

H. B. 51. An Act to repeal an Act defining Public Roads provided for their establishment, regulation, construction and use and maintenance, creating the office of Road Engineer and prescribing the duties thereof. Same act passed by the Legislature of 1912.

By Mr. Ray, of the Committee on State Prisons and House of Reform:

H. B. 190. An Act to repeal an Act entitled, An Act to amend an Act entitled, An Act to create a Board of Prison Commissioners and regulate the penal institutions of this Commonwealth, and passed on March 15, 1908 over the veto of the Governor of Kentucky, and the same being the veto beginning on page 8 and running to and including page 26 of the printed Acts of the session of 1908 of the General Assembly of Kentucky; and to further regulate the management of the penal institutions of this Commonwealth, passed at the 1912 session of the General Assembly and approved by the Governor March 1, 1912, and creating a Board of Commissioners to be known as the Kentucky State Board of Control for Penal and Charitable Institutions, and to repeal Sub-sections 1, 2 and 3 of Section 217a of Carroll Statutes, and to repeal and re-enact Sub-sections 15 and 25 of Section 217a and Sections 3799, 3805, 3897 and 3812 and Sub-section 2 of Section 2095a, and Sections 361 and 2046 of Carroll Statutes, Edition of 1909.

By Mr. Hammond, of the Committee on Education No. 1:

H. B. 272. An Act relating to the certification of teachers and the inspection and accrediting of Kentucky institutions of higher learning by the State Board of Education, and to provide for the recognition of certificates from other States by reciprocity.

By same:

H. B. 138. An Act to amend Section 4383, Chapter 113, of the Kentucky Statutes, Carroll's Edition, so as to add to elements of Agriculture and Domestic Science to the course of study prescribed for the common schools.

By Mr. Drescher, of the Committee on County and City Courts:

H. B. 385. An Act fixing the compensation of the members of the fiscal court in counties which have voted or may hereafter vote in favor of the fiscal court being composed of the County Judge and three Commissioners to be elected by the county at large.

With an amendment thereto.

By Mr. Spahn, of the Committee on Commerce and Manufacturing:

H. B. 394. An Act to prevent the production of pictures from proofs belonging to a person other than the one producing the picture without the written consent of the person to whom the negative belongs.

Said bills were severally read the first time at length and ordered to be placed upon the calendar.

H. B. 305. An Act to amend an Act entitled, An Act to amend the school laws and to create Boards of Education and to define their duties in cities of the first class.

H. B. 114. An Act to amend Section 5, Chapter 113, of an Act entitled An Act to provide for inspection of schools and school funds of the State and to increase the efficiency of the Department of Education, which became a law March 18, 1912.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

H. B. 249. An Act to impose further duties upon the State and county and city Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

H. B. 139. An Act to require the registration of all factories, machine shops, laundries, work-shops, mercantile, manufacturing or mechanical establishments, hotels, restaurants, telephone exchanges and telegraph offices with the State Commissioner of Agriculture and Labor.

With amendment thereto.

H. B. 278. An Act authorizing the granting of license to certain graduates of medical schools without a State Board examination.

With an amendment thereto.

H. B. 277. An Act authorizing the granting of pharmacist license to certain graduates of schools of medicine without a State Board examination.

With an amendment thereto.

H. B. 233. An Act making it unlawful for certain officers to receive service at free or reduced rates from public service corporations, or for public service corporations to give service at free or reduced rates to certain public officers, and prescribing the punishment for the breach thereof, together with the jurisdiction for the trial of offenses committed thereunder.

With amendment thereto by way of substitute therefor.

Ordered that substitute be printed.

H. B. 340. An Act to prohibit waiters and servants from accepting tips in hotels and restaurants, barber shops, Pullman cars and other places, and prohibiting persons from offering or giving tips and prescribing punishment therefor.

H. B. 322. An Act to fix the amount of license tax required of retail liquor dealers.

With an amendment thereto.

H. B. 344. An Act to regulate cost in proceedings to exonerate property wrongfully or erroneously assessed.

With an amendment thereto.

H. B. 45. An Act to revise a part of the revenue laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky, edition of 1909, and subsequent acts amendatory thereof, all relating to revenue and taxation.

H. B. 106. An act pertaining to the sale of dangerous and deadley weapons to intoxicated persons, and persons in

the habit of becoming intoxicated and prescribing penalties for the violation thereof.

H. B. 153. An act to enjoin and abate houses of lewdness, etc., and to enjoin the person or persons who conduct or maintain the same .

By Mr. Miller: Of the Committee on Equal Suffrage.

H. B. 221. An act submitting to the voters of the State an amendment of the Constitution relative to equal suffrage.

H. B. 280. An act to amend chapter 60, Session Acts of 1910, entitled, "An Act to prevent the spread of communicable diseases among domestic animals in the State of Kentucky and to provide greater protection to the live stock industry of the State and to increase the number of members on the live stock Sanitary Board and to enlarge the powers of said board," and to amend Article 2, Chapter 5 of the Kentucky Statutes relating to diseases of domestic animals.

With an amendment thereto.

H. B. 24. An Act to prohibit the running at large of unaltered male stock of certain species.

H. B. 241. An Act requiring counties to furnish their own Veterinary Surgeon.

With an amendment thereto.

H. B. 238. An Act to amend Chapter 108 of Session Acts of 1912 entitled an Act to amend an Act entitled, "An Act to further regulate the Bureau of Agriculture, Labor and Statistics," approved March 17, 1902, being Section 33e of the Kentucky Statutes.

H. B. 253. An Act concerning illiteracy in the State of Kentucky and to provide for the creation of a Commission to be known as "The Kentucky Illiteracy Commission," and to provide for the duties and powers thereof.

H. B. 107. An Act concerning decedent's estates, and concerning the sale of decedent's real estate to pay debts.

H. B. 331. An Act to amend an Act of March 12, 1912, entitled, "An Act limiting the time in which the enforcement of tax titles and tax lines may be effected."

H. B. 142. An Act to amend Section 2487, Kentucky Statutes, Carroll's Edition, of 1909, relating to lien of employes and material men on property assigned for the benefit of creditors.

H. B. 237. An Act to regulate the admission of attorneys to practice law.

With an amendment thereto by way of substitute therefor.

H. B. 287. An Act to amend Section 1155, Subdivision 3, Chapter 36, Kentucky Statutes.

H. B. 288. An Act to amend Section 4850, Chapter 135, Carroll's Edition, 1909, with reference to wills.

H. B. 312. An Act providing for the plugging of gas wells and for preventing the waste of natural gas.

H. B. 121. An Act relating to the manufacture, sale and use of tobacco and cigarettes and providing punishment for violations thereof.

With amendment thereto by way of substitutes therefor.

H. B. 63. An Act to establish an insurance and annuity fund for public school teachers of cities of the second class.

H. B. 38. An Act relating to poll or capitation tax and providing for the collection of but one poll tax from citizens of cities of the third class.

H. B. 281. An Act to further amend and re-enact Section 4 of An Act approved March 21, 1910, and published as Chapter 50 of the Acts of 1910.

H. B. 87. An Act relating to the equipment and regulation of hotels and restaurants, defining the same and relating to the inspection thereof providing for penalties for violations of the provisions of this act.

With an amendment thereto.

H. B. 302. An Act relating to crimes and punishments making the erection and maintaining of Bill Boards, Display Boards, unsightly houses or sheds within four hundred feet of the State Capital Grounds a nuisance, and providing a penalty.

H. B. 14. An Act to regulate the sale, barter, or loan of spirituous, malt, vinous or other alcoholic liquors that produce drunkenness.

H. B. 295. An Act to provide for the uniform accounting and inspecting of the public offices of this Commonwealth.

Ordered that said bills be severally read for the second time.

The provision of the Constitution as to the reading of said bills at length being dispensed with said bills were severally read the second time by their titles.

Said bills were ordered to be placed in the orders of the day.

Mr. Evans, of the Committee on Insurance, Fire and Marine, to which same had been recommitted, with leave to report at any time, reported:

H. B. 133. An Act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in Kentucky and not incorporated under the laws of said State, but licensed to write such insurance therein through legally licensed agents, to write or cause to be written such insurance against loss or damage to property therein, except the same be written by legally licensed agents of said companies under the laws of said State and residing therein; prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in companies not legally licensed to write such insurance in said State; fixing the venue of prosecution for the violation of certain sections hereof; and providing certain penalties.

Mh. Jas T. Webb moved to defer consideration of said bill and pending amendments thereto until next Tuesday, Feb. 10, 1914, at 1.00 o'clock p. m.

Said motion was agreed to.

Mr. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Pumphrey suggested that the Hon. John A. Judy, representative elect from the counties of Montgomery and Menifee, having been chosen and elected as such on the fourth day of February, 1914, to fill the vacancy occasioned by the death of Hon. Samuel Turley, the late representative from said counties, and that the Hon. A. T. Bryson, representative elect from the county of Greeup, having been chosen and elected as such on the second day of February, 1914, to fill the vacancy ocacsioned by the death of the Hon. J. A. Scott, late representative from said county, were present in the House.

Thereupon the said John A. Judy and A. T. Bryson appeared at the bar of the house, produced their certificates of election as representatives as aforesaid and having taken the oath prescribed by law took their seats as members of this House.

The Speaker laid before the House the following communication:

"We, the members of the Madison Co. Farmers Union, beg you to request for us that the law-makers pass no laws that will in any way impair the usefulness of the Eastern Ky. State Normal. Especially do we ask that the farm be retained and the appropriation remain the same."

The Speaker laid before the House the following communication from the Attorney General, viz.:

*To the House of Representatives of the General Assembly of the Commonwealth of Kentucky*s

Gentlemen:

Your clerk delivered to me a copy of a resolution passed by you on Friday January 16, 1914, which contained the following clause:

"Be it resolved that the Attorney General of this Commonwealth be and he is hereby urged to institute proceedings to recover said amount from those responsible for said expenditures, and the said George Sehon is hereby requested to furnish the General Assembly an itemized account of his said expenses in securing said legislation, and that the Attorney General take whatever steps may be necessary to have the title of real estate purchased by said society with State funds transferred to this Commonwealth."

Before the copy of this resolution was delivered to me, I was informed by the chairman of the Probe Committee of the Senate, that representatives of the Kentucky Children's Home Society had testified before the Probe Commnttee, and that the Probe Committee had requested them to convey the property owned by the society in the city of Louisville to the Commonwealth of Kentucky. I am informed that on January 19, 1914, the Executive Committee of the Board of Managers of the Kentucky Children's Home Society directed the President and Secretary to execute a deed conveying this property to the Commonwealth of Kentucky, and on the 26th day of January, they did execute a deed conveying the property to the Commonwealth of Kentucky, "in consideration of one dollar cash in hand paid, the receipt of which is hereby acknowledged, and other valuable consideration paid, and the assumption by the second party of a mortgage of $19,000 executed to the Louisville Title Company on the hereinafter described property, as shown by mortgage recorded August 26, 1912."

This deed was delivered to the chairman of the Probe Committee, and I suppose it was intended to tender the same, through that committee, to the Commonwealth of Kentucky. I have secured the deed from the chairman of the Probe Committee for the purpose of submitting it to the House of Representatives. You will observe that there is a mortgage on the property conveyed for $19,000, which, must be paid by the Commonwealth of Kentucky if this deed is accepted. I sub-

mit this deed to the House of Representatives for its consideration, and ask that they advise whether the acceptance of this deed will conform to the resolution adopted by the House on January 16, 1914, and I respectfully request that the deed be returned to me in order that I may return it to the chairman of the Senate Committee, from whom I received it.

Very respectfully,
JAMES GARNETT,
Attorney General.

Mr. O'Brien moved that said communication, together with deed referred to therein, be referred to the Committee on Judiciary.

Said motion was agreed to.

Mr. Hamilton moved that H. B. 45 be made a special order for Tuesday morning, next, February 10, 1914, immediately after the call of Committees and the completion of the calendar.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 104. An Act to further regulate appeals to the Court of Appeals.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When a new trial shall be granted pursuant to the provisions of Section 340 of the Civil Code of Practice the

party opposing or objecting to a new trial shall have the right to appeal to the Court of Appeals from the order granting the new trial in the same manner as an appeal is taken from a final judgment, and when such an appeal is taken no further trial shall be had in such a case in the circuit until such appeal is disposed of in the Court of Appeals. The Court of Appeals shall either affirm the action of the circuit court in granting a new trial or shall reverse same and affirm the judgment set aside by the order of the circuit court.

When such appeal is taken the record shall be filed in the office of the Clerk of the Court of Appeals within sixty days, unless the time by order of the circuit court or Court of Appeals shall be extended, otherwise the appeal shall be held to be abandoned. A mandate shall be issued as in cases directing the circuit court as to what further action shall be taken in the case.

§ 2. Infants, persons of unsound mind and non-residents before the court by constructive process only shall be considered as opposing such new trial in all cases where their interests are adverse to such new trial, and where such new trial is not granted upon the application of some one legally authorized to represent them.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	J. B. Harvey	Lyman J. Parrigin
Harry Avery	H. H. Hays	Lilburn Phelps
Geo. B. Barrett	W. E. Henninger	William A. Perry
Henry C. Blades	Dr. S. L. Henry	John A. Polin
Joseph Boitnott	D. H. Hillman	Dr. T. J. Poteet
Elmer L. Brown	J. J. Huff	W. A. Price
A. T. Bryson	R. B. Hutchcraft Jr.	Dr. W. R. Ray
Glover H. Cary	J. M. Johnson	Stanley F. Reed
Ed. F. Cecil	T. R. Jones	S. H. Rogers
J. G. Coke, Jr.	John H. Klette	W. E. Rogers
Benjamin L. Cox	William J. Kuh	B. T. Rountree
James R. Dorman	J. C. Lay	A. W. Sharp
John W. Douglas	Simon B. Lott	Adam Spahn
H. C. Duffy	C. R. Luker	Ed. D. Stone
William Duffy	Dr. J. N. M'Cormack	W. T. Stott
G. P. Durrett	Geo. M. McDowell	N. C. Tilford
Thomas J. Evans	W. T. McNally	M. S. Walton, Jr.
M. J. Farris, Jr.	John G. Miller, Jr.	James T. Webb
Ed. Frost	J. R. Mount	W. M. Webb
Frank C. Greene	Harry J. Myers	John F. White
E. V. Hall	Zach. L. Myers	N. B. White
Elwood Hamilton	John E. Newman	J. D. Wills
W. L. Hampton	C. B. Nichols	M. O. Wilson
V. D. Hammond	S. Mazyck O'Brien	Roy S. Wilson
H. H. Harrington	A. W. Palmer	Douglas G. Wood

—75

Resolved, That the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 231. An Act to repeal and re-enact sub-section 2 of Section 552, title 13, Chapter 3, Article 2, of the Civil Code of Practice, authorizing a trial of equity cases by oral testimony.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 2, Section 552, Title 13, Chapter 3, Article 2, of the Civil Code of Practice, be, and the same is, hereby repealed, and the following is enacted in lieu thereof:

In the trial of equitable actions in the Circuit Courts in this Commonwealth the parties may either take the depositions of witnesses or may examine the witnesses orally in court, subject, however, to the provisions and exceptions as is contained in Section 554, Title 13, Chapter 3, Article 2 of the Civil Code of Practice.

Mr. Miller moved to recommit said bill to the Committee on Code of Practice, with leave to report at any time.

Said motion was disagreed to.

Mr. Perry offered the following amendment to said bill:

"Amend by adding after the word 'parties,' the words, 'With the approval of the Judge or Chancellor.' "

Mr. Perry offered the following amendment to said bill:

"This act shall not apply to courts having a continuous session."

Mr. Walton offered the following amendment to said bill:

"By striking out 'or may examine the witnesses orally in court,' and the word 'either' in line 5, 'but must examine the witnesses orally in Court in contested divorce cases." '

Mr. Nichols moved that said several amendments to said bill be tabled.

Said motion was agreed to.

And then the House, in accordance with the motion heretofore made, by Mr. Hamilton, and adopted on this day, adjourned.

MONDAY, FEBRUARY 9, 1914.

The House was opened with prayer by the Rev. Father Joseph A. Flynn, of the Roman Catholic Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows:

By Mr. Walton:

H. B. 455. An Act to require Boards of Trustees of the public schools in the Commonwealth of Kentucky to supply to each of such schools an American flag and to provide for its raising over such school each school day of the year and to provide penalties for the violation of this act.

To Committee on Education No. 1.

By same:

H. B. 456. An Act permitting the users or consumers of natural or artificial gas to enjoin persons, firms or corporations engaged in selling and furnishing gas for consumption, from cutting off or failing to furnish said gas, when such users or consumers fail to pay the gas charge or charges, when in said user's or consumer's opinion same are excessive, illegal or incorrect.

To Committee on Public Utilities.

By Mr. Pumphrey:

H. B. 457. An Act to amend Sections 2514 and 2515 of Carroll's 1909 Edition of the Kentucky Statutes.

To Committee on Judiciary.

By Mr. Barrett:

H. B. 458. An Act making the unlawful, wilful and unreasonable neglect to provide for the support of a minor child who is actually or apparently under the age of fourteen years, a felony.

By Mr. Judy:

H. B. 459. An Act to amend an act entitled "An Act to amend Chapter 113, Article 6a, Carroll's Kentucky Statutes, 1909, districts, trustees, teachers, taxation," approved March 11, 1912.

To Committee on Education No. 1.

By Mr. Duncan:

H. B. 460. An Act to amend Section 3290 in subdivision 2 of Article 4, Chapter 89, Kentucky Statutes.

By Mr. Duffy:

H. B. 461. An Act to amend and re-enact Section 576 of the Kentucky Statutes (Carroll's Edition of 1909.)

To Committee on Corporate Institutions.

By Mr. Jas. T. Webb:

H. B. 462. An Act to amend an act passed by the General Assembly of the State of Kentucky during the session of 1910, being Chapter 120 of said Acts, and printed in the Acts of the Legislature of 1910, at pages 341 to 343 inclusive, the same being entitled "An Act to amend Section 1997, subdivision 1, of Article 15, Chapter 46, of the Kentucky Statutes, Carroll's Edition of 1909, entitled 'Executions,'" so as to make it plain what exemptions the housekeeper with a family is entitled to.

To Committee on Kentucky Statutes.

By Mr. Hays:

H. B. 463. An Act to fix the maximum charge allowed common carriers for carrying passengers in this Commonwealth.

Mr. Palmer presented a petition signed by sundry citizens of Warren County urging the passage of a bill requiring one to have a written permit from the owner of land before he can set steele traps, dead falls or the like on the land of another, making the trapper responsible, for all dam-

age done by his traps. Said petition was received, read and referred to the Committee on Fish and Game.

Mr. Roy S. Wilson presented a petition signed by sundry citizens of Hopkins County urging the defeat of a bill introduced which would require the railroads of this State to make payment of wages twice each month to employes.

Said petition was received, read and referred to the Committee on Railroads.

The Speaker layed before the House a petition signed by sundry citizens of this State urging the passage of a bill requiring one to have a written permit from the owner of land before he could set steel traps, dead falls or the like on the land of another and making the trapper responsible for all damages done by his traps, to stock, persons, etc.

Said petition was received, read and referred to the Committee on Fish and Game.

Mr. Cary presented a petition signed by sundry citizens of McLean County urging the enactment of Senate Bill No. 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Polin presented a petition signed by sundry citizens of Washington County, urging the defeat of Senate Bill No. 109, known as the Glenn Bill.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Farris presented a petition signed by sundry citizens of Boyle County urging the enactment of Senate Bill No. 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Roy S. Wilson presented a petition signed by sundry citizens of Hopkins County urging the passage of a messure making women's working day eight hours and forty-eight hours per week, provided it can be amended to apply to towns of first and second classes only.

Said petition was received, read and referred to the Committee on Immigration and Labor.

Mr. Zach L. Myers presented a petition signed by sundry citizens of Scott County urging the passage of a bill requiring one to have a written permit from the owner of land before he can set steel traps, dead falls or the like on the land of another.

Said petition was received, read and referred to the Committee on Fish and Game.

Mr. Luker presented a petition signed by sundry citizens of Laurel County urging the enactment of Senate Bill No. 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Ray presented a petition signed by sundry citizens of Shelby County urging the passage of a bill requiring one to

have a written permit from the owner of the land before he can set steel traps, dead falls or the like on the land of another.

Said petition was received, read and referred to the Committe on Fish and Game.

Mr. Dorman presented a petition signed by sundry citizens of Jessamine County urging the passage of a bill requiring one to have a written permit from the owner of the land before he can set steel traps, dead falls or the like on the land of another.

Said petition was received, read and referred to the Committee on Fish and Game.

Mr. S. H. Rogers presented a petition signed by sundry citizens of Marion County urging the passage of a bill now before the Legislature submitting to the voters a Constitutioal Amendment providing for Woman Suffrage in Kentucky.

Said petition was received, read and referred to the Committee on Equal Suffrage.

Mr. H. C. Duffy presented a petition signed by sundry citizens of Harrison County protesting against the passage of Senate Bill 109.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Palmer presented a petition signed by sundry citizens of Bowling Green urging the enactment of Senate Bill 109, looking to the further regulation of Fire Insurance in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Mount presented a petition signed by sundry citizens of Garrard County protesting against the enactment of Senate Bill 109, known as the Glenn Bill.

Said petition was received, read and ordered referred to the Committee on Insurance, Fire and Marine.

Mr. Huff presented a petition signed by sundry citizens of Harlan County urging the passage of a bill requiring one to have a written permit from the owner of the land before he can set steel traps, dead falls or the like on the land of another, and making the trapper responsible for all damages.

Said petition was received, read and ordered referred to the Committee on Fish and Game.

The Speaker layed before the house the following communication, viz.:

SOUTHERN EDUCATIONAL ASSOCIATION.

Morehead, Ky., Feb. 6, 1914.

Hon. Claude B. Terrell, Speaker, and Members of the House of Representatives, Frankfort, Ky.

Gentlemen:

I have received, through Hon. Thomas J. Evans, Representative from the Bath-Rowan District, notice that the House of Representatives had done me the great honor to pass a resolution inviting me to address that honorable body on next Wednesday, February eleventh, at one o'clock p. m., on pending educational measures. With profound apprecia-

tion of the courtesy extended to me, I accept the invitation with pleasure.

Most respectfully yours,
CORA WILSON STEWART.

Mr. McCormack offered the following resolution, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That an invitation be and is hereby extended to the Senate to attend in the House Chamber and hear the address of Mrs. Cora Wilson Stewart, on Illiteracy in the United States, at 1 p. m., on Wednesday next, and that a committee of two be appointed by the Speaker to extend this invitation to the Senate and to present Mrs. Stewart to the joint session on Wednesday.

Said resolution was adopted.

Mr. Klette offered the following resolution, viz.:

Be it resolved by the House of Representatives:

That on Tuesday, Wednesday, Thursday and Friday there be an afternoon session of this House, from three until five o'clock, to consider the orders of the day only.

Mr. Smith moved that said resolution be referred to the Committee on Rules.

Said motion was agreed to.

Mr. Walton offered the following resolution, viz.:

House Resolution on the resignation of James E. Stone, Clerk.

James E. Stone has severed his connection as Clerk of the House of Representatives of the General Assembly of Kentucky after nearly forty years' service.

He entered the Legislative services as a copyist in the House in 1876 and with the exception of three sessions, 1880, 1882 and 1884, he served continuously in one branch or the other of the General Assembly until his recent resignation. During the Republican control of the House, in 1896 and '98, he was the Assistant Clerk of the Senate, which was Democratic, but returned to the House in 1900, and from 1902 until the day of his resignation he was the Chief Clerk. In 1890 he was the Reading Clerk in the Convention. For the last thirty years he has been the Secretary of every State Convention held in Kentucky but three, and has also served as one of the Reading Clerks at four National Democratic Conventions.

He has gone into a larger field of work and a field in which he will find a more continuous service. The Federal Government is to be congratulated to have enlisted him as one of its servants. In all of his connection with this House he has been uniformly courteous and accommodating. He came into personal contact with every member serving in the Legislative Hall, he was painstaking in his work, systematic, careful and never too much engaged to lend his kindly advice and services to any member of this body, especially did he lend his kindly advices to the younger and untrained members who more especially needed it. This House feels that his place will be supplied but never filled ; and, therefore,

Be it resolved, by the House of Representatives of the Commonwealth of Kentucky:

That an affectionate farewell be herewith extended to James E. Stone together with a heartfelt wish for many years of prosperity in his new field of endeavor, and that his long and devoted service to his party and the State may reward him with days of happiness and prosperity, and that a copy of these resolutions be spread upon the minutes of the House and furnished to Mr. Stone.

Said resolution was adopted.

By unanimous consent of the House, the rules were suspended and Mr. Hamilton, of the Committee heretofore appointed, to hear evidence and report on the impeachment proceedings instituted against Flem D. Sampson, offered the following report, viz.:

HOUSE OF REPRESENTATIVES, 1914.

The Special Committee having had under consideration House Resolution No. ——, makes the following report.

The Resolution is in the following words:

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

§ 1. That a Committee, to be composed of seven members of this House, be appointed by the Speaker to take into consideration the petition of C. Cordell and others, this day presented to the House by Elwood Hamilton, a member of this House, and that said Committee be instructed to inquire into the official conduct of Flem D. Sampson, Judge of the Thirty-fourth Judicial District of Kentucky, and one of the Circuit Court Judges of this Commonwealth, and to report their opinion whether there are reasonable and just grounds to believe that said Flem D. Sampson has committed any misdemeanor in his aforesaid office of Circuit Court or District Court Judge, or has been guilty of any such misdemeanors in relation to or in connection with said office, and whether he has so acted in his official capacity as to require the interposition of the Constitutional power of this House, either by impeachment or otherwise.

§ 2. That the Committee authorized by and appointed under this resolution be, and it is hereby granted power to send for persons, papers and records, in so far as it may be necessary or be deemed necessary so to do to enable the Com-

mittee to investigate, ascertain and report upon the matters submitted to it by this resolution.

Origin of This Impeachment Proceeding.

This impeachment proceeding had its origin in a petition prepared and verified in conformity with Section 2172 of the Kentucky Statutes, which was presented to the House of Representatives on Monday, the 19th day of January, 1914. On the following day, January 20, 1914, the Speaker of the House, in obedience to the resolution above, appointed this Committee. The Committee, immediately after its appointment, promptly organized for business by electing Elwood Hamilton, Chairman, and W. T. McNally, Secretary. It held almost daily and night sessions from the date of its appointment to and including Wednesday, January 28th, 1914.

The Committee permitted the defendant, Flem D. Sampson, to appear both in person and by attorney at all proceedings had before the Committee and cross-examine the witnesses produced. In support of the charges specified in the petition, the complainants produced thirty-nine (39) witnesses whose names are as follows:

J. C. Bird, J. B. Snyder, W. L. Moore, T. J. Tramwell, Walter Broyles, Henry Patrick, Wm. Gilbert, L. P. Lay, M. M. Underwood, Henry Bond, W. R. Henry, M. M. Criscillus, J. B. Jones, Frank Davis, J. L. Harmon, J. B. White, Pleas Hamlin, Hiram H. Owens, L. G. Campbell, Albert Neal, Mr. Shepard, Mrs. Mahan, R. L. Pope, Dr. Ed. Harmon, C. H. Moorman, A. C. Spencer, P. R. Bell, W. B. Creekmore, Judge R. G. Williams, J. D. Hiley, T. M. Jones, C. J. Howes, L. P. Tramwell, C. F. Crecelius, Jas. B. Garnett, J. B. Perkins, W. H. Meadors, G. B. Likens and D. E. McQuery.

The testimony taken by the Committee is presented to the House in full with this report, but on account of its volume it is deemed not advisable to have the same printed in extreme as a part of this report.

Flem D. Sampson's Election.

Flem D. Sampson was elected to the office of Circuit Judge for the 34th Judicial District on the —— day of November, 1911, and was afterwards duly commissioned as Judge of said district, and has since said time served as Circuit Judge of said District. His term of office will end January 1st, 1916.

The Facts.

The facts found by your Committee are substantially as follows:

First: That Judge Sampson, to further his nomination and election, used both money and whiskey to corrupt voters in the counties in his district. The testimony also shows that money and whiskey had been freely used in all elections for all offices in said district at the time of the election of Judge Sampson and prior thereto.

Second: That since his election to the office that he now holds he has freely used railroad transportation issued to him free of charge, at his request, by the Louisville & Nashville Railroad Company, both for himself and friends.

Third: That he participated in sales of lots at nominal charges, or lots drawn at Whitley City, Kentucky, just prior to the county seat election in McCreary County.

Official Acts Which May Be Construed To Be Misconduct On The Bench.

First: That he has failed to instruct grand juries to investigate the use of money and whiskey in his own election and prior thereto, but since that time he has vigorously instructed grand juries in all the counties of his district to investigate the use of money and whiskey in elections.

Second: That he has granted two new trials in the case of P. Hogue vs. Kentucky & Tennessee Railway Company, giving as the grounds, that both verdicts were excessive.

Third: That two or three divorce suits have been disposed of in his court within two or three days after they had been filed, by judgments being granted, giving divorces to one or the other of the parties.

Fourth: That he has suspended and shortened sentences of persons both fined and imprisoned, in counties in his district, but that said suspensions or shortening of sentences have been done on the motion of the Commonwealth's Attorney, and in each case under circumstances that would seem to be proper and right except that he had no lawful authority to dispose of the cases in that manner.

Fifth: In the case of Commonwealth vs. Julie Ayres, after a jury had brought in a verdict of acquittal, the defendant being charged with the illicit sale of liquor, he discharged all of said jury and very severely reprimanded them for failure to find the defendant guilty. The testimony was very conclusive of the defendant's guilt, but the manner in which the jury was discharged was extremely arbitrary and may have had some influence over other juries in trying defendants charged with like offenses.

Sixth: That in the case of Commonwealth vs. Breeden and Commonwealth vs. Jones, both defendants were compelled to go to trial at the appearance term after affidavits had been filed for a continuance.

Seventh: In the instruction to grand juries in McCreary County, he had instructed the grand juries to disregard any trouble or cases growing out of the county seat fight between Pine Knot and Whitley City. In this connection we may say that the testimnoy shows that the parties living in these two places are extremely bitter and partisan toward each other and each will do anything to punish the other, because of the trouble over the location of the county seat.

Eighth: That during his term of office, he has, without authority of law, ordered the Sheriff of McCreary County to destroy the property of persons charged with the illicit sale of liquor. The testimony shows that at least two houses were destroyed under the orders of the court by the Sheriff; also these orders were entered without the parties being given an opportunity to be heard. The testimony shows that these properties were located on the State line, between Kentucky and Tennessee; the parties were undoubtedly selling liquor unlawfully and it was impossible to secure their conviction or to stop the sale of liquor at these places, except by destruction of the houses. These parties were never indicted for maintaining a nuisance, and while the properties were destroyed for a purpose which was intended to enforce the law and maintain order, or at least for a time stop the illicit sale of liquor at the places complained of, still the places were destroyed on the courts orders without lawful authority.

Ninth: That while Circuit Judge of the 34th Judicial District, he has ordered both per diem and mileage paid to jurors summoned from Pulaski County to serve on cases in Whitley County without lawful authority so to do.

Tenth: The case of Strunk vs. Myrick, County Clerk, a suit to compel the County Clerk of McCreary County, by mandatory injunction, to place the names of the plaintiffs on the ballot, at the November election at which they sought to be candidates, he took the case under advisement and kept it under advisement for several weeks and did not decide it in time for the parties to appeal to the Court of Appeals and have the matter determined before the election.

Eleventh: That he advertised in newspapers, and otherwise, for persons to send their names in who had not performed jury service in the Circuit Court. These names were delivered to the jury commissioners.

Twelfth: He discharged the regular jury panel at the end of one or two weeks at terms of court which were more than four weeks long.

Thirteenth: That Henry Bond, a negro, at Williamsburg, requested Judge Sampson to place negroes on the juries of Whitley County. Judge Sampson told him to get up the names and turn them over to the jury commissioners. Some of these negroes afterward served as jurors in the Whitley Circuit Court.

Fourteenth: That during his term as Circuit Judge of the 34th Judicial District, he very severely abused Walter Broyles becasue Broyles would not make an affidavit as to his disposition of the docket in the McCreary Circuit Court.

Fifteenth: That in one year he selected all the jury commissioners in McCreary County from the side of the county in which Whitley City was located.

This brief statement of the facts contains all of the matters on which there could be any charge based of judicial misconduct.

The Committee finds that there was in 1912 a hotly contested election in McCreary County, one of the counties in the judicial district of Judge Sampson, to determine the county seat. Pine Knot and Whitley City were the two places striving for the location. At this election there was a division of the county, each side contending for their respective cities. Judge Sampson was an adherent of Whitley City in this election. This election was held to be void. In the year, 1913, another election was held to settle the same matter. This election was equally as hotly contested as the former one. Judge Sampson in this election, as before, was an adherent of Whitley City. Out of the contest over this election, there were two factions in McCreary County belonging to the same party. These factions became and are now very bitter toward each other. The petitioners in this matter, C. Cordell, T. J. Tramwell, W. B. White and C. V. Hayes were all in-

terested in this county seat fight and were partisans of Pine Knot. A great majority of the witnesses who have testified touching the charges against the defendant here are warm supporters of Pine Knot. Because of this county seat fight Judge Sampson has many bitter enemies in McCreary County. So much bitterness has been shown in the political fight as to come almost up to the political prejudice described by a learned Judge of this State, in the following language:

"It enters unseen and unsuspected into the human mind, corrodes the reason, and undermines the judgment. Neither purity of heart nor exaltation of character affords an antidote for this deadly poison. Indeed these virtues may well magnify the evil, for the mind thus possessed is all the more ready to enforce the oblique judgment when it has no cause to suspect its own integrity. The pages of history are eloquent with the evils of this passion. It is recorded that the ferocious soldiery sent to hurry the inhabitants of Somersetshire, after the rebellion of 1685, although disciplined in the rapine of Trangier, inspired the followers of unhappy Monmouth with less terror than did Lord Jeffries with his forms of law, and courtly jurors; that when the English government established the common law in India, the native should find himself entangled in its meshes, though schooled by fatalism to smile in the face of death, was frozen with terror in the presence of a mysterious system whose procedure was in an unknown tongue and whose verdicts were rendered by unsympathetic strangers from across the sea. Those conversant with current history have seen a highly civilized and generous people, under stress of radical passion, condemn without proof a soldier charged with a political crime, and sentence him without mercy to a punishment worse than death, and yet when the storm had spent its force, that judgment was annulled, the victim released and all the world now knows his innocence."

The Law

Constitutional Provisions Relating to Impeachment.

Section 66 of the Constitution provides: The House of Representatives shall have the sole power of impeachment.

Section 67 of the Constitution provides: All impeachments shall be tried by the Senate. In sitting for that purpose, the Senate shall be upon oath or affirmation. No person shall be convicted without a concurrence of two-thirds of the Senators present.

Section 68 provides: The Governor and all civil officers shall be liable for impeachment for any misdemeanors in office, but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of honor, trust or profit under this Commonwealth, but the party convicted shall nevertheless be subject to indictment, trial, judgment and punishment by law.

Statutory Provisions Relating to Impeachment.

Section 2172. Petition to House of Representatives—Committee—Witness—Pay and Privileges—Costs. A person desirous of procuring the impeachment of any officer shall, by petition in writing to the House of Representatives, signed by himself and verified by his own affidavit and the affidavits of such others as he may deem necessary, set forth the facts upon which he prays an impeachment. (Con., Sec. 66.)

1. The House shall refer the petition to a committee, with power to send for persons and papers, to report thereon.

2. If an impeachment be ordered, a committee shall be appointed to prosecute the same, whose chairman shall, within five days, lay the same before the Senate.

3. The Senate shall appoint a day for hearing the impeachment. The accused shall be summoned by precept, issued by the clerk of the Senate, to appear on that day. The

precept shall be served in person, or a copy left at his residence with some white member of his family over the age of sixteen years, together with a copy of the impeachment.

4. The clerk of the Senate shall, at the instance of the chairman of the committee, or of the accused, issue process for the summoning of witnesses, and the production of books or papers, which shall be executed in the same manner, and be obeyed under a like penalty, as is prescribed for disobedience to similar process issued by a court.

5. A witness summoned shall also receive like compensation, and have the same privilege in going, remaining and returning.

6. If the accused is acquitted, he shall be entitled to his costs, to be taxed by the clerk, and paid by the party petitioning; and if he be convicted, he shall, in like manner, pay such party the costs incurred in behalf of the prosecution. The amount of costs so taxed by the clerk in favor of either party may be recovered by motion against the other after five days' notice, in a circuit or county court.

Section 2173. Senate to Try—Oath administered to Senators. Before the Senate proceeds to try an impeachment, the Speaker and every member present shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully and impartially try the impeachment against A. B., and give my decision according to the law and the evidence."

Section 2174. Removal of Officer by Address—Petition—Costs. In like manner, under like responsibility, a person may petition either or both Houses to have an officer removed by address, which shall, in like manner, be referred to a committee. In either mode of proceeding, the petitioner shall be responsible to witnesses and to the accused for the costs of an investigation before a committee, to be taxed by the clerk of the House appointing the committee, and recovered as before directed, if the committee report against the petition, and the report be not overruled by the House.

Section 2175. House of Representatives may proceed without petition. Proceedings for impeachment or removal by address may be instituted by the House of Representatives without a petition from any person.

Code Provisions Relating to Impeachment.

Section 430. (Impeachment defined.) An impeachment is the prosecution, by the House of Representatives, before the Senate, of the Governor or other civil officer, for misdemeanor in office.

Section 431. (Articles of Impeachment.) The articles of impeachment are the written accusation of the officer, drawn up and approved by the House of Representatives.

Section 432. (Articles must state grounds.) The articles of impeachment shall state with reasonable certainty the misdemeanor in office for which the officer is impeached; and if there be more than one they shall be stated separately and distinctly.

Section 433. (Committee to be appointed to prosecute.) When the articles of impeachment have been approved by the House of Representatives, and an impeachment ordered, a committee shall be appointed to prosecute it, whose chairman, within five days, shall lay the same before the Senate.

Section 434. (Senate to appoint day for trial—Accused summoned.) The Senate shall appoint a day for hearing the impeachment, and the accused shall be summoned, by a precept issued by the clerk of the Senate, to appear on that day. The precept shall be served by delivering a copy of the precept and of the articles of impeachment to the accused in person, if to be found, or leaving the copies at his residence with some white member of his family over sixteen years of age.

Section 435. (Process to issue for production of testimony.) The clerk of the Senate, at the request of the chairman of the committee appointed to prosecute, or of the accused, shall issue process for summoning witnesses, and for

producing books and papers; and in case of disobedience of the process, the Senate shall order the clerk to issue process for arresting the witnesses and seizing the books and papers, which process may be executed by the peace officers of the several counties, or by officers specially appointed for that purpose by the Senate.

Section 436. (Witnesses' attendance may be coerced.) The Senate shall have power of coercing the attendance of witnesses, and of compelling them to testify, and of coercing the production of books and papers, by fine and imprisonment, to such an extent as may be necessary.

Section 437. (Privileges and pay of witnesses.) Witnesses shall have the same compensation for travel and attendance, and the same exemptions in going, remaining and returning as witnesses in the circuit courts, and officers executing the process and orders of the Senate shall have like fees for their services.

Section 438. (Oath to be taken by Senators.) Before the Senate proceeds to try the impeachment, the Speaker and every Senator present shall take the following oath or affimation: "I do solemnly swear (or affirm) that I will faithfully and impartially try the impeachment against A. B., and give my decision according to the law and evidence."

Section 439. (Absence that prevents Senator from voting on final decision.) The Senate shall determine what amount of absence of a Senator during the trial shall exclude the Senator from voting on the final decision.

Section 440. (Costs against unsuccessful party.) If the accused be acquitted, he shall be entitled to his costs, to be taxed by the clerk of the Senate and paid by the treasurer; and if convicted he shall pay the costs, to be taxed by the clerk and recovered by motion by the Attorney General, in the Franklin Circuit Court, at the first term thereof, without notice, or afterward on notice.

Section 441. (Prosecutor—When liable for costs.) If the impeachment be prosecuted on the petition of some citi-

zen for the Commonwealth, whose name is set at the foot of the article of impeachment, he shall be liable for the costs of the accused if he be acquitted, and also for the costs of prosecuting the impeachment, and in that case the Commonwealth shall not be liable to pay any part of the costs; and if the accused be convicted, the petitioner shall be entitled to recover of the accused the costs of the impeachment, for which he is liable; the costs to be taxed by the clerk of the Senate, and recovered by suit in a court of competent jurisdiction.

Provisions of the Constitution Relating to the Use of Passes.

Section 197. Free passes—Issual or acceptance of forbidden. No railroad, steamboat or other common carrier, under heavy penalty to be fixed by the General Assembly, shall give a free pass or passes, or shall at reduced rates not common to the public, sell tickets for transportation to any State, district, city, town or county officer, or member of the General Assembly, or Judge; and any State, district, city, town or county officer, or member of the General Assembly, or Judge, who shall use tickets or transportation at reduced rates not common to the public, shall forfeit his office. It shall be the duty of the General Assembly to enact laws to enforce the provisions of this section.

Provisions of the Constitution Relating to Bribery.

Section 150. Exclusion from office for crime—Penalty upon corporation guilty of bribery. Every person shall be disqualified from holding any office of trust or profit for the term for which he shall have been elected who shall be convicted of having given, or consented to the giving, offer or promise of any money or other thing of value, to procure his election, or to influence any vote of any voter at such election; and if any corporation shall, directly or indirectly, offer, promise or give, or shall authorize, directly or indirectly, any person to offer, promise or give any money or anything of

value to influence the result of any election in this State, or the vote of any voter authorized to vote therein, or who shall afterward reimburse or compensate, in any manner whatsoever, any person who shall have offered, promised or given any money or other thing of value to influence the result of any election or the vote of any voter, such corporation, if organized under the laws of this Commonwealth, shall, on conviction thereof, forfeit its charter and all rights, privileges, and immunities thereunder; and if chartered by another State and doing business in this State, whether by license, or upon mere sufferance, such corporation, upon conviction of either of the offenses aforesaid, shall forfeit all right to carry on any business in this State; and it shall be the duty of the General Assembly to provide for the enforcement of the provisions of this section. All persons shall be excluded from office who have been, or shall hereafter be convicted of a felony, or of such high misdemeanor as may be prescribed by law, but such disability may be removed by pardon of the Governor. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon, from power, bribery, tumult or other improper practices. (See as to disfranchisement, Sec. 1439, Ky. Stat., penalty against bribery by corporation, Ky. Stat., 569a, and Con., Sec. 145.)

Section 151. Bribery—Fraud or corrupt practices—Penalty for. The General Assembly shall provide suitable means for depriving of office any person who, to procure his nomination or election, has, in his canvass or election, been guilty of any unlawful use of money, or other thing of value, or has been guilty of fraud, intimidation, bribery, or any other corrupt practice, and he shall be held responsible for acts done by others with his authority, or ratified by him. (See Sec. 1586, Ky. Stats.)

Unlawful to Suspend or Set Aside Sentence after Conviction.

In Brandandt v. Commonwealth, decided January 27, 1914, the Court of Appeals said:

"The practice of suspending sentence in misdemeanor cases is not merely a failure to enforce the law, it encourages crime and is a menace to good government. * * * The court had no jurisdiction to enter an order suspending further execution of the sentence imposed. The order suspending further execution of the sentence imposed was not merely erroneous; it was beyond the jurisdiction of the court, and attempted exercise of a power, not judicial but wholly executive in its nature, and such an order should not have been obeyed by the jailer. When he receives into his custody a prisoner under a final order of court, a direction of said court or of any other officer other than the Governor, attempting to suspend further execution of that judgment, being void and of no effect, should not be obeyed by him."

When it is the Duty of the House to Impeach.

It is the duty of the House, when an impeachment charge is brought, to make such thorough and fair examination as may be necessary to convince the impeaching body of the reasonable probability of the guilt of the accused jduge, or civil officer. The testimony must be such, that if not contradicted or unexplained, the Senate would probably find the defendant guilty.

Conclusions.

It was the intention of the framers of the Constitution, that the State of Kentucky should have an independent and incorruptible judiciary. The testimony in this case shows that Judge Sampson has been guilty of practices for which he should be severely condemned. His conduct has not at all times been with that high sense of judicial ethics and probity

that should generally characterize a state judiciary. His conduct has not been such as to reflect credit on either himself or his district, nor has he deported himself in such a manner as to entirely keep or to merit the confidence of his people.

A judge should so conduct himself, that the respect for the judicial branch of our government would amount to reverence. This confidence has in most cases been deserved and maintained by the men occupying judicial positions in this State. A judge should be the personification of integrity of honor and of uprightness in his daily walk and conversation. He should hold his exalted office and the administration of justice above the sordid desire to accumulate wealth. He should be free and unaffected by any bias born of avarice and unhampered by improper obligations. There is nothing in the record, however, to show that this judge has prostituted his high judicial office for personal profit or that he has attempted in any way to commercialize his potentiality as judge.

There is not a scintilla of testimony to show that any of his decisions have been corrupt, or that he has been influenced improperly by the use of railroad passes, or by any other means. Where he has gone beyond the law in the discharge of his duties as judge, it has been under very aggravating circumstances. In his judicial district, there has been open and notorious violation of the local option laws. In ordering the destruction of the property heretofore referred to in this report, it was for the sole purpose of breaking up this practice, and for no other reasons. In releasing defendants from jail and suspending sentences, he has had the support and always the motion of the Commonwealth's Attorney. In all of these cases, the defendants were old, sick and decrepit men. His act in releasing them was one prompted by humanity.

He has but a short time to serve in office. His term will expire on the first day of January, 1916. A great majority of the people living in his district are law abiding, honest, upright, intelligent citizens and are capable of selecting honest,

responsible and competent officials. There is nothing to show that the election machinery in the district is controlled or dominated by him. If he was elected for a long term of years or for life there would be strong grounds for bringing articles of impeachment against him, but it is the sense of this committee, that the people of the 34th Judicial District should be permitted to determine and settle this matter themselves by the use of the ballot.

Recommendations.

Your committee recommends that no articles of impeachment be brought against Judge Flem D. Sampson.

ELWOOD HAMILTON, Chairman.
W. T. MCNALLY, Secretary.
JNO A. POLIN,
J. E. NEWMAN,
FRANK C. GREEN,
JAMES O. WEBB.

Said report was read at length.

Mr. Hamilton moved that said report be adopted.

Said motion was agreed to.

A message was received from the Governor, stating that he had approved and signed House Resolution which originated in the House, of the following title, viz.:

H. Res. 11. Resolution specifying how warrants shall be drawn in favor of departments and public institutions.

(For said Resolution, see Journal of date Jan. 16th.)

H. Res. 14. Resolution of respect to the memory of Hon. Samuel Turley, deceased, late a member of the House of Representatives.

(For said Resolution, see Journal of date Jan. 23rd.)

A message was received from the Senate announcing that they had adopted a resolution entitled:

S. Res. 9. Resolution to ascertain if State has title in fee simple to all land owned by it.

Said resolution reads as follows, viz.:

Whereas, it is important that the General Assembly should be informed as to the status of the title to the real estate owned by the Commonwealth of Kentucky, and upon investigation it has been found that the title to some of the real estate invested in certain boards and commissions, and in order that the General Assembly may have a record showing the true state of the title to all the real estate owned by the Commonwealth; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Attorney General is directed to have prepared a statement stating from whom each tract of land owned by the Commonwealth of Kentucky was obtained, in whom the title is vested, whether the State owns a fee simple title or a lessor estate, and what steps are necessary to be taken to confirm the fee simple title in the Commonwealth of Kentucky.

Provided that this resolution shall only apply to property owned and used by the State for public institutions.

Said resolution was ordered to be referred to the Committee on Judiciary.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Hutchcraft, of the Committee on Banks and Banking:

H. B. 390. An Act to amend and re-enact Section 20 of the Banking Act of 1912, relating to the incorporation of Banks and combined Banks and Trust Companies and to amend Section 6 of said Act by providing for the employment of an additional Bank Examiner.

By Mr. Roy S. Wilson, of the Committee on Insurance, Life and Accident:

H. B. 289. An Act to amend Section 644, subdivision 2, Art. 4, Chapter 32, Kentucky Statutes, relating to the subject of Life Insurance.

By same:

H. B. 364. An Act regulating the cancellation of accident and health insurance.

With an amendment thereto.

By same:

H. B. 225. An Act to amend an Act entitled "An Act for the creation and regulation of private corporations," being an act relating to the subject of insurance and the transaction of the business of Life or Casualty Insurance or both Life and Casualty Insurances upon the co-operative or assessment plan.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 355. An Act amending Section 839, subdivision 4, Article 5, Chapter 32 of the Kentucky Statutes, Carroll's Edition, 1909, relating to condemnation of land.

By same:

H. B. 352 An Act to abolish what is known as "Loan Sharks" and to regulate and license the business of loaning money on chattel mortgages.

By same:

H. B. 391. An Act to amend section 133, Carroll's 1909 Edition, Kentucky Statutes, entitled, "Attorneys-at-law."

By Mr. Smith, of the committee on Kentucky Statutes:

H. B. 171. An Act to repeal and re-enact Sections 2204, 2211 and 2212 of Carroll's Statutes, edition of 1909, providing for inspector of illuminating oils and providing that the fees collected therefor shall be turned into the State Treasurer's office, all relating to the inspection of illumination oil.

With an amendment thereto.

By Mr. Poteet, of the Committee on Public Health:

H. B. 387. An Act to amend Chapter 63 of the Kentucky Statutes, relating to the State Board of Health.

By Mr. McDyer, of the Committee on Public Roads and Highways:

H. B. 103. An Act exempting from taxation certain rights-of-ways of the Public Highways of the various counties of this Commonwealth.

By same:

H. B. 132. An Act to amend an act entitled "An Act defining public roads, providing for their establishment, reg-

ulating and construction and use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof."

With an amendment thereto by way of a substitute therefor.

Ordered that said substitute be printed.

By same:

H. B. 143. An Act to amend Section 11 of an Act entitled "An Act defining motor vehicles, providing of the registration of the same and uniform rules regulating the use and speed thereof, approved March 23, 1910."

By same:

H. B. 162. An Act defining Public Roads, providing for their establishment, regulation, use and maintenance, and creating the office of County Road Engineer, and prescribing the duties thereof.

With an amendment thereto.

By same:

H. B. 395. An Act to provide means whereby the Commonwealth of Kentucky may aid the counties in the improvement of their public roads.

By same:

H. B. 349. An Act to repeal an act of the General Assembly, approved by the Governor of this Commonwealth, March 11, 1912, creating the Department of Public Roads and

establishing the office of Commissioner of Public Roads and prescribing his duties.

With an expression of opinion that said bill ought not to pass.

Mr. Walton moved that said bill be refused a first reading.

Said motion was agreed to.

Said bills were severally read the first time at length and ordered to be placed upon the calendar.

H. B. 197. An Act to promote agriculture by providing for the inspection of agricultural seeds.

With an amendment thereto by way of substitute therefor.

H. B. 346. An Act to amend an act entitled "An Act to establish a Department of Banking, providing for the appointment of a commissioner, deputy commissioner and examiner thereof, and prescribing their duties, and for the examination of all financial institutions organized and doing business under the laws of this Commonwealth," which act became a law upon the approval of the Governor on March 1, 1912.

With an amendment thereto.

H. B. 310. An Act permitting proprietors of repair shops to sell articles upon which the charges have not been paid.

H. B. 316. An Act relating to Fiscal Courts in counties containing cities of the second class.

H. B. 245. An Act fixing the jurisdiction of County Judges in criminal cases.

With an amendment thereto.

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 168. An Act to amend Section 171 of the Constitution of the Commonwealth of Kentucky.

H. B. 275. An Act to amend Sections One, Two, Four, Five, Six and Thirteen of Chapter 5 of the Acts of 1912, entitled "An Act relating to Fire, Lightning, Hail, Windstorm and Sprinkler Leakage Insurance, and to regulate and control the rates of premium thereon and creating a State Insurance Board and defining the powers and duties of said Board," and to further amend said Act by enacting subsection 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board affecting insurance risks and rates thereon and fixing a penalty for its violation.

H. B. 345. An Act providing for the licenseing of local fire insurance agents in Kentucky; prescribing certain qualifications that agents must possess before eligible to being licensed and conditions upon which such license may be granted; creating and defining the powers and duties of a Board of Examiners for the purpose of carrying out the provisions of this Act, and prescribing a penalty for its violation.

H. B. 182. An Act to amend Section 687 (Chap. 32, Art. IV, Subdivision IV), Kentucky Statute, regulating the risks to be taken by Insurance Companies other than life—the character of risks that may be taken—the deposits to be made by

certain companies with the Treasurer—the reports of such companies, the limit of risks and liability of officers for exceeding limit.

H. B. 204. An Act to prohibit the Attorney General, his assistants, Commonwealth, County and City Attorneys and their assistants, and all judicial officers of this Commonwealth from accepting or holding employment of or by any public service corporation, and to prohibit such named corporations from employing or keeping in their employment, the officers designated.

H. B. 109. An Act to amend an Act entitled "An Act to establish a State Board of Embalming, defining the duties thereof, to provide for the better protection of life and health, and to prevent the spread of contagious diseases, to regulate the practice of embalming in connection with the care and disposition of the dead, and to provide a penalty for the violation thereof," which was aproved March 22, 1904.

H. B. 381. An Act establishing a State Athletic Board of Control.

With amendments thereto.

H. B. 125. An Act to secure the registration of plumbers and the supervision and inspection of plumbing and drainage in cities of the first and second class.

H. B. 201. An Act requiring persons hereafter elected to office, to take, in addition to the oaths now prescribed by law, an oath that they have not violated the laws against bribery in elections within one year next preceding their election.

H. B. 190. An Act to repeal an act entitled an act to amend an act entitled an Act to create a Board of Prison Commissioners and regulate the penal institutions of this Commonwealth, and passed on March 15, 1908, over the veto of the Governor of Kentucky, and the same being the veto beginning on page 8 and running to and including page 26 of the printed acts of the session of 1908 of the General Assembly of Kentucky; and to further regulate the management of the penal institutions of this Commonwealth, passed at the 1912 session of the General Assembly, and approved by the Governor on March 1, 1912, and creating a Board of Commissioners to be known as the Kentucky State Board of Control for Penal and Charitable Institutions, and to repeal sub-sections 1, 2 and 3 of section 217a of Carroll Statutes, and to repeal and re-enact sub-sections 15 and 25 of section 217e and sections 3799, 3805, 3897 and 3812 and sub-section 2 of section 2095a, and sections 361 and 2046 of Carroll Statutes, Edition of 1909.

H. B. 272. An Act relating to the certification of teachers and the inspection and accrediting of Kentucky institutions of higher learning by the State Board of Education, and to provide for the recognition of certificates from other States by reciprocity.

H. B. 138. An Act to amend Section 4383, Chapter 113, of the Kentucky Statutes, Carroll's Edition, so as to add to elements of Agriculture and Domestic Science to the course of study prescribed for the common schools.

H. B. 385. An Act fixing the compensation of the members of the fiscal court in counties which have voted or may hereafter vote in favor of the fiscal court being composed of the County Judge and three Commissioners to be elected by the county at large.

With an amendment thereto.

H. B. 394. An Act to prevent the production of pictures from proofs belonging to a person other than the one producing the picture without the written consent of the person to whom the negative belongs.

Ordered that said bills be severally read the second time.

The provision of the Constitution as to the reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Said bills were ordered to be placed in the orders of the day.

Mr. Poland moved that the Committee on Agriculture, to which had heretofore been recommitted report and place upon its passage, a bill entitled:

H. B. 17. An Act to promote the live stock interests in the State of Kentucky.

Said motion was agreed to.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All fees or sums of money paid after the date upon which this Act becomes a law, for license to stand for service a stallion, jack, bull, boar or ram shall be set apart and paid to the various fair associations throughout the State to be used by such associations for premiums or prizes for live stock to be exhibited in competitions at such fairs or public exhibitions, except for racing contests.

§ 2. Such fees or sums of money paid in each county during each year ending with the 30th day of June shall be paid, for the purpose above mentioned, to the fair associations holding a fair in such county during that calendar year. Before any fair association shall be entitled to receive such money for the purpose above mentioned, it shall cause to be filed in the office of the clerk of such county the affidavit of its president and secretary stating the organization of such association, their official connection with the association, the character of the exhibition to be given, the intention to give such exhibition, and the date or dates on which the fair is to be given. The affidavits shall also state the amount of money to be given by the association as premiums, prizes, stakes and purses for live stock or in live stock competition, and the fair cash value of any article or things of value to be so given. The board of directors of the association shall designate the person or persons to whom the money is to be delivered for the association and the affidavits of the president and secretary shall also state such action of the board of directors and the person or persons designated by the board to receive the money.

§ 3. A bond shall be filed in the county clerk's office by said association to the Commonwealth of Kentucky, with good and sufficient security to be approved by the county clerk, conditioned that said money shall be used for purpose fixed by this Act, and that the association will faithfully comply with all of the provisions of this Act, the penal sum of such bond to be not less than the amount to be paid to such association. Upon the giving of such bond and the filing of such affidavits, the county clerk shall pay to the association the money due in accordance with the provisions of this Act before the date for the beginning of the fair or public exhibition. Such money to be paid over to the person or persons designated by the board of directors to receive the money for the association, as shown by the affidavits on file.

§ 4. Within thirty days after such fair or public exhibition, the president and secretary of the fair association shall file a report, under oath, in the county clerk's office, stating the purpose for which the money was used, the amount used, and the amount, if any, remaining unexpended. Any sum so remaining shall be immediately paid to the County Clerk and by him paid into the State Treasury as such license is now required to be paid by him into the State Treasury. Such report shall also state any profits, if any, earned by the association, and if this information cannot be accurately given, the reason therefor must be stated.

§ 5. It shall be the duty of the county clerk immediately upon receipt of such report, to file in the office of the Commissioner of Agriculture, certified copies of the affidavits, bond and report required hereunder and the Auditor of Public Accounts shall have the power to institute an action in the name of the Commonwealth against the association and upon its bond to recover any money not used in the accordance with the provisions of this Act, and to institute such action against the association and upon its bond to recover any money, when, under the provision of this Act, it may become the duty of said association to refund or repay such money or any part thereof.

§ 6. If no affidavit is filed in the county clerk's office as herein provided, on or before the 30th day of June, then the county clerk shall pay all of said license fees paid during the year ending with that date, as now required to be paid by him into the State Treasury.

§ 7. If such affidavits be filed on or before the 30th day of June by more than one association, the money due under this act shall be paid by the county clerk to that association offering the largest sum of money for premiums, prizes, stakes or purses, including the fair cash value of any articles or things of value offered for such purpose, as shown by the affidavits on file; and if the same amount is to be given by two or more associations, as shown by such affidavits, then the

amount is to be divided equally between or among such association.

§ 8. In case more than one affidavit is filed, the president and secretary of the association or associations receiving money shall, in addition to the report hereinbefore required, also report the amount of premiums actually given by such association, and the failure to give as premiums, prizes, stakes or purses, the amount of money stated in the affidavits shall entitle the Auditor of Public Accounts to recover from the association the money received under this Act. The amount of money offered by the association as premiums, prizes, stakes or purses, as shown in the affidavits of its president and secretary, must be offered in good faith. But if any ring, contest or exhibition for which stakes or purses be offered, for which a premium or prizes be offered in good faith, there be no more than one entry, then the association is not to be charged with the failure to give the premium or prize so offered.

The association may prescribe reasonable rules and regulations for entries to racing contests or to other contests or exhibitions for stakes or purses. If such reasonable rules and regulations be not complied with, or if for causes beyond the control of the association, any race or any contest or exhibition, for which a stake or purse be in good faith offered, cannot be given, then the association is not to be charged with the failure to give the money so offered.

The Auditor of Public Accounts may, for sufficient cause, other than those herein enumerated, excuse the association for failure to give any premium, prize, stake or purse offered in good faith, but this provision shall not require the Auditor to excuse the association for the failure to give any premium, prize, stake or purse offered in good faith, except for the reason hereinbefore stated.

§ 9. No profits shall at any time be distributed by any association among its members or stockholders until all money received under this Act shall have been repaid by the associa-

tion to the Auditor of Public Accounts. Any profits may be retained, however, and used at future fairs or exhibitions for the purpose herein named or providing suitable grounds, buildings or equipment. Failure of any association to give a fair exhibition of the character herein named for three years from the date of a fair or exhibition, shall entitle the Auditor of Public Accounts to recover from the association out of the profits in the hands of the association, after the giving of its past fair exhibition, the amount of money received by the association at any time under the provisions of this Act.

§ 10. The provisions of this Act shall apply only to an association of individuals or any corporation organized for the purpose of giving what is ordinarily known as a live stock or agricultural fair, at which fair or exhibition, however, rings must be provided and prizes or premiums given, at least, for horses, mules, cattle, sheep, hogs, and jack stock. The money received under this Act, however, may be used as premiums or prizes for any other class or classes of live stock, which may be exhibited at such fairs or exhibitions.

Failure on the part of any association or of its president and secretary to file or to cause to be filed in the office of the county clerk the report required by this Act shall entitle the Auditor of Public Accounts to recover from such association the money received by it, and all money recovered or received by the Auditor of Public Accounts under the provision hereof shall be by him paid over to the State Treasury.

§ 11. Within fifteen days after the thirtieth day of June of each year, the county clerk shall file a report with the Auditor of Public Accounts, showing all of the fees received by him during the year ending with that date, for licenses, as provided in this Act, and the disposition made by him of such money under the provisions of this Act. For failure to file such a report, the clerk shall be liable to a penalty of twenty per cent upon the amount of money, so received by him, which penalty may be recovered by the Auditor of Public Accounts.

§ 12. Any action authorized under the provisions of this Act, must be instituted within two years from the date of accrual of such cause of action.

§ 13. It shall be the duty of the county attorney of the county in which the fair is given, upon request of the Auditor of Public Accounts, to institute and prosecute any action authorized to be instituted by this Act.

§ 14. Whereas it is believed that the various fair associations are in need of the money which may be received under the provisions of this Act, and it is desirous that such fair associations received as many of the license fees which shall be paid before June 30, 1914, as possible, an emergency is hereby declared to exist from the immediate taking effect of this act, and it shall take effect from and after its passage and approval by the Governor.

Mr. Poland offered the following amendment to said bill:

Mr. Jas. T. Webb moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Saufley moved the previous question.

Said motion was disagreed to.

Mr. Ray moved to lay said bill and pending amendment on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 232. An Act to amend subsection 1 of Section 428, Title 10, Chapter 3 of the Civil Code of Practice, and regulating suits against decedent estates.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 428, Title 10, Chapter 3, of the Civil Code of Practice be amended by adding thereto the following, to-wit:

"Provided, however, no such action suit shall be brought by any of the above-named parties except the personal representatives until the expiration of six months after such personal representative shall have been appointed and qualified," so that said Subsection, after being so amended, shall read as follows:

A representative legatee, distributee or creditor of the deceased person may bring an action in equity for the settlement of his estate; provided, however, no such suit shall be brought by any of the aboved-named parties except the personal representative until the expiration of six months after such personal representative shall have been appointed and qualified.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of the said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	S. Mazyck O'Brien
Harry Avery	J. B. Harvey	Lyman J. Parrigin
James W. Barrall	H. H. Hays	William A. Perry
J. M. Billeter	Dr. S. L. Henry	Dr. T. J. Poteet
Joseph Boitnott	D. H. Hillman	W. A. Price
Elmer L. Brown	J. J. Huff	J. D. Pumphrey
A. T. Bryson	R. B. Hutchcraft Jr.	Richard Radcliffe
J. G. Coke, Jr.	J. M. Johnson	Dr. W. R. Ray
Benjamin L. Cox	T. R. Jones	Stanley F. Reed
James R. Dorman	John A. Judy	W. E. Rogers
John Drescher	John H. Klette	B. T. Rountree
H. C. Duffy	J. C. Lay	A. W. Sharp
William Duffy	Simon B. Lott	L. M. Smith
Odie Duncan	C. R. Luker	Adam Spahn
G. P. Durrett	Dr. J. N. M'Cormack	Ed. D. Stone
Vert C. Fraser	Geo. M. McDowell	W. T. Stott
John F. Fryer	John McDyer	Louis Tieman
Frank C. Greene	W. T. McNally	M. S. Walton, Jr.
C. M. Gum	John G. Miller, Jr.	James T. Webb
E. V. Hall	J. R. Mount	N. B. White
Elwood Hamilton	Harry J. Myers	J. D. Wills
W. L. Hampton	Zach. L. Myers	Roy S. Wilson
V. D. Hammond	John E. Newman	—68

Those who voted in the negative were—

C. W. Burton	M. J. Farris, Jr.	S. H. Rogers
Glover H. Cary	Lilburn Phelps	—5

Resolved, That the title thereof be as aforesaid.

By the unanimous consent of the House, Mr. Hutchcraft moved to call from the orders of the day a bill entitled:

H. B. 163. An Act providing the time and manner of electing United States Senators.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. One United States Senator shall be elected at the regular November election, 1914, who shall hold his office for six years, and one United States Senator shall be elected at the regular November election, 1918, who shall hold his office for a period of six years.

The names of candidates for United States Senator shall be placed on the ballot in the same way that the names of candidates for State officers are placed on the ballot, and the election for United States Senators shall be held in the same manner and by the same officers as the election for State officers. The returns shall be made and certified in the same manner and to the same officers as for State officers, and the State Board of Election Commissioners shall count the returns and issue a certificate of election to United States Senators the same as to State officers; provided, however, it shall be the duty of the Governor to certify the election of the person so chosen under the seal of the State to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State. In the election for United States Senator, all electors who are eligible to vote for members in the lower branch of Congress shall be eligible to vote for United States Senator, and the person receiving the highest number of votes shall be declared elected.

§ 2. In case of vacancy in the office of United States Senator, it shall be the duty of the Governor to fill the vacancy by appointment until the next regular election at which members of the lower branch of Congress are elected, and he shall certify the appointment to the President of the Senate of the United States, under the seal of the State, and the certificate of appointment shall be countersigned by the Secretary of State.

§ 3. The same penalties prescribed for offenses against the election law in the election of other officers shall apply to elections for United States Senators.

§ 4. All laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	Ed. Frost	John A. Judy
James W. Barrall	John F. Fryer	John H. Klette
J. M. Billeter	Frank C. Greene	J. C. Lay
Henry C. Blades	C. M. Gum	Simon B. Lott
Joseph Boitnott	E. V. Hall	C. R. Luker
Elmer L. Brown	Elwood Hamilton	Dr. J. N. M'Cormack
A. T. Bryson	W. L. Hampton	Geo. M. McDowell
C. W. Burton	V. D. Hammond	John McDyer
Glover H. Cary	H. H. Harrington	W. T. McNally
Benjamin L. Cox	J. B. Harvey	John G. Miller, Jr.
James R. Dorman	H. H. Hays	J. R. Mount
John Drescher	W. E. Henninger	Harry J. Myers
John C. Duffy	Dr. S. L. Henry	Zach. L. Myers
William Duffy	D. H. Hillman	John E. Newman
Odie Duncan	J. J. Huff	S. Mazyck O'Brien
G. P. Durrett	R. B. Hutchcraft Jr.	A. W. Palmer
Thomas J. Evans	J. M. Johnson	Lyman J. Parrigin
M. J. Farris, Jr.	T. R. Jones	Lilburn Phelps

William A. Perry	S. H. Rogers	W. T. Stott
John A. Polin	W. E. Rogers	Louis Tieman
Dr. T. J. Poteet	B. T. Rountree	M. S. Walton, Jr.
W. A. Price	S. M. Saufley	James T. Webb
J. D. Pumphrey	A. W. Sharp	N. B. White
Richard Radcliffe	L. M. Smith	J. D. Wills
Dr. W. R. Ray	Adam Spahn	Roy S. Wilson
Stanley F. Reed	Ed. D. Stone	Douglas G. Wood

—88

Resolved, That the title thereof be as aforesaid.

Mr. Walton moved that the House take up for consideration from the orders of the day and place same on its passage, a bill entitled:

H. B. 74. An Act forbidding the use and acceptance of passes by public officials and forbidding carriers to furnish passes to officials.

Mr. Hamilton moved, as an amendment to said motion, to place said bill on its passage, that said bill be made the special order of the day for next Wednesday, the 11th instant, at 11 o'clock A. M.

Said last named motion was agreed to.

Mr. Lay moved that this House do now adjourn.

Said motion was disagreed to.

The House took up for consideration from the orders of the day, a bill entitled:

H. B. 120. An Act to amend Section 362 of Title 9 of the Code of Practice of Criminal Cases.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 362 of Title IX of the Code of Practice in Criminal Cases, as same appears in the 1906 Edition of the Kentucky Codes, as revised and compiled by the Hon. John D. Carroll, be, and the same is, hereby amended, by striking out the words, "unless otherwise provided for in the statute creating or regulating it," in the third and fourth lines thereof, and inserting in lieu thereof the words, "other than police courts of cities of the first class," and in striking out the five words in the fifth line thereof, "of twenty dollars or more," so that the said section when amended will read as follows:

Jurisdiction in Cases of Appeal.—If a judgment against a defendant on a trial before a county judge, or in a justice's court "or" in a city or police court, "other than police courts of cities of the first class, be for imprisonment or for a fine," he shall have the right of appeal to the circuit court of the county in which the judgment is rendered.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Benjamin L. Cox	G. P. Durrett
Harry Avery	George T. Davis	M. J. Farris, Jr.
Wallace Bailey	James R. Dorman	Vert C. Fraser
Joseph Boitnott	John Drescher	Ed. Frost
Elmer L. Brown	John C. Duffy	John F. Fryer
J. G. Coke, Jr.	William Duffy	Frank C. Greene

Elwood Hamilton	C. R. Luker	W. A. Price
W. L. Hampton	John McDyer	Richard Radcliffe
V. D. Hammond	W. T. McNally	Dr. W. R. Ray
J. B. Harvey	Harry J. Myers	B. T. Rountree
H. H. Hays	Zach. L. Myers	S. M. Saufley
Dr. S. L. Henry	John E. Newman	A. W. Sharp
J. M. Johnson	S. Mazyck O'Brien	Adam Spahn
T. R. Jones	A. W. Palmer	Ed. D. Stone
John H. Klette	Lyman J. Parrigin	W. T. Stott
William J. Kuh	Lilburn Phelps	Louis Tieman
J. C. Lay	William A. Perry	N. B. White
Simon B. Lott	John A. Polin	Roy S. Wilson

—54

Those who voted in the negative were—

Henry C. Blades	D. H. Hillman	Stanley F. Reed
C. W. Burton	R.B.Hutchcraft Jr.	S. H. Rogers
Glover H. Cary	John A. Judy	W. E. Rogers
H. C. Duffy	Geo. M. McDowell	L. M. Smith
Thomas J. Evans	John G. Miller, Jr.	James T. Webb
E. V. Hall	J. R. Mount	J. D. Wills
H. H. Harrington	J. D. Pumphrey	

—20

Resolved, That the title thereof be as aforesaid.

Mr. Davis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Speaker Terrell appointed Mr. John A. Judy to fill all vacancies on all Committees on which the Hon. Samuel Turley was heretofore appointed, excepting the Committee on Mines and Mining, which vacancy had already been filled.

Mr. Brown moved that this House do now adjourn.

Said motion was agreed to.

TUESDAY, FEBRUARY 10, 1914.

The House was opened with prayer by the Rev. Father Joseph A. Flynn, of the Roman Catholic Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts bills were introduced, ordered printed and referred as follows:

By Mr. Barrell:

H. B. 464. An Act compelling grantor to put in every deed conveying real estate, the full consideration or purchase price and prescribing penalties for failure so to do.

To Committee on Kentucky Statutes.

By Mr. Stone:

H. B. 465. An Act for the benefit of the three State Educational Institutions, viz.: State University, Lexington, Ky., Eastern Kentucky State Normal School and Western Kentucky State Normal School, reducing the annual appropriation and regulating the term of the offices of said institutions.

To Committee on State University and Normal Schools.

By Mr. Mount:

H. B. 466. An Act for the benefit of traveling men, railroad men, and all others whose occupation or duties cause them to be absent from their homes on election day.

To Committee on Suffrage and Election.

By Mr. Lott:

H. B. 467. An Act requiring assessors to find how much a person owes on his property and to assess only that which he owns, or the single tax.

To Committee on Revenue and Taxation.

By Mr. White:

H. B. 468. An Act to amend Section 3813 of Chapter 97, Article 1, Carroll's Statutes.

To Committee on State Prisons and Houses of Reform.

By Mr. Hutchcraft:

H. B. 469. An Act to amend Section 4224, Kentucky Statutes, relating to license taxes.

To Committee on Revenue and Taxation.

By Mr. Douglas:

H. B. 470. An Act to amend Section 3 of an Act entitled, "An Act for the government and regulation of the Common Schools of the State," being Chapter 56 of the Acts of 1908, and subsection 3 of Section 4426a of Carroll's Statutes of 1909.

To Committee on Education No. 1.

By Mr. Stott:

H. B. 471. An Act relative to compensation of members of fiscal courts.

To Committee on County and City Courts.

By Mr. Wood:

H. B. 472. An Act to amend Section 5 of the Kentucky Statutes relating to salaries of County Superintendents of schools.

To Committee on Education No. 1.

By Mr. Myers:

H. B. 473. An Act to amend and re-enact Section 3096 of the Kentucky Statutes, relating to the improvement of streets, public ways, grounds and sidewalks in cities of the second class.

To Committee on Municipalities.

By Mr. Lay:

H. B. 474. An Act to permit any county to vote on the question as to how the roads of said county shall be built and maintained.

To Committee on Public Roads and Highways.

By Mr. Coke:

H. B. 475. An Act to establish a Kentucky Vice Commission, providing its duties and for the lessening of vice in the State of Kentucky.

To Committee on Criminal Law.

By Mr. Davis:

H. B. 476. An Act providing for the appointment of a stenographer for examining trial for felony and grand juries.

To Committee on Circuit Courts.

The petitions of sundry citizens of Calloway, Cumberland, Jessamine, Ballard, Clark, Harrison, Breckinridge and Boyd Counties were presented by Messrs. Jones, Sharp, Dorman, Frazer, Wills, H. C. Duffy, Henninger and McDyer respectively, urging that Senate Bill 109 be not enacted, said bill looking to the further regulation of fire insurance rates in Kentucky.

Said petitions were received, read and referred to the Committee on Insurance, Fire and Marine.

The petitions of sundry citizens of Carroll, Ballard, Lewis and Woodford Counties were presented by Messrs. Greene, Frazer, M. O. Wilson and Davis, respectively, relative to the Fish and Game Law.

Which were received, read and referred to the Committee on Fish and Game.

A petition was presented by Mr. McDyer signed by sundry citizens of Boyd County stating that said citizens are well pleased with H. B. 196 offered by the Good Roads Committee of the Legislature.

Said petition was received, read and referred to the Committee on Public Roads and Highways.

Mr. Greene offered the following joint resolution, viz.:

H. Res. 19. Resolution for the benefit of N. C. Tilford and Yeaman Watkins.

Said resolution reads as follows:

Whereas, N. C. Tilford instituted a contest against Yeaman Watkins before the House of Representatives, contesting the seat of said Watkins therein as Representative from the County of Grayson, and,

Whereas, said contest has been determined by the said House in favor of said Tilford, and it has been decided that said Tilford, and not said Watkins, was the duly elected Representative from Grayson County, and said Tilford has taken his seat as such Representative; and,

Whereas, it appears that in prosecuting said contest said Tilford has expended, and incurred indebtedness for, the following sums on the following accounts, to-wit:

Witness fees	$16.00
Examiner's fees	18.00
Sheriff's fees	1.50
Railroad fare and hotel bill of W. O. Jones, attorney, two trips from Leitchfield, Ky., to Frankfort, Ky., and return	19.24
Railroad fare and hotel expenses of witnesses in Grayson County	10.50
Total	$65.24

And that in defending said contest said Watkins expended, and incurred indebtedness for, the following amounts on the following accounts, to-wit:

Witness fees	$58.00
Examiner's fees	26.00
Examiner issuing subpoenas	3.00
Sheriff's fees	15.50
Expressage on depositions	.50
Total	$103.00

Whereas, it became necessary for contestant and contestee to employ attorneys to represent each of them in the preparation and hearing of said contest, the said attorneys preparing the notices and counter-notices of contest and all other legal papers required, and attending the taking of depositions, and the hearing of the contest before the Contest Committee and the bar of this House; and,

Whereas, it appears that the sum of $250.00 would be and is a reasonable fee for compensation for the services of the attorneys for the contestant Tilford, and that $250.00 would be and is a reasonable fee for the services of the attorneys for the contestee, Watkins; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the sum of $315.24, being his costs and expenses and attorneys' fees above mentioned, be and it is hereby allowed to N. C. Tilford; and that the sum of $353.00, being his costs and expenses and attorneys' fees above mentioned, be and it is hereby allowed to Yeaman Watkins; on account of said contest; and,

Be it further resolved, That the Auditor of this Commonwealth be and he is hereby directed to draw his warrant on the Treasurer for the sum of $315.25 in favor of N. C. Tilford; and for the sum of $353.00 in favor of Yeaman Watkins.

FRANK C. GREENE, Chairman,
RICHARD RADCLIFFE, LYMAN PARRIGIN,
C. W. BURTON, J. D. PUMPHREY,
JOHN F. MCDYER, D. H. HILLMAN.

Ordered that said resolution lie on the Clerk's desk.

Mr. Hutchcraft offered the following resolution, viz.:

Resolved, That hereafter petitions for and against the passage of House Bill 275, or on the subject of Fish and Game, be referred to the appropriate committee, without being read by the Clerk.

Said resolution was adopted.

Mr. Hamilton offered the following resolution:

Be it resolved by the House of Representatives:

That this House extend its sessions on Tuesdays, Wednesdays and Thursdays until 5 o'clock P. M. and that on said days it recess at 12:30 until 2:00 o'clock P. M. and that at said time it re-assemble and remain in session from 2:00 o'clock until 5:00 o'clock P. M. on said days to consider orders of the day only.

Said resolution was adopted.

Mr. Nichols offered the following resolution, viz.:

H. Res. 20. Resolution requesting Kentucky's Representatives in Congress to secure an appropriation by Congress for constructing and equipping a suitable building for a permanent United States Weather Bureau station at Lexington, Kentucky, in connection with the State University, and authorizing the Trustees of the State University to donate the necessary grounds for such building to the United States Government.

Said resolution reads as follows:

A Resolution

Requesting Kentucky's representatives in Congress to secure an appropriation by Congress for constructing and equipping a suitable building for a permanent United States Weather Bureau Station at Lexington, Kentucky, in connection with the State University and authorizing the trustees of the State University to donate the necessary grounds for such building to the United States Government.

Whereas, the existence and maintenance, at Lexington, Kentucky, of the United States Weather Bureau Station has proved to be of great benefit and service to a vast number of farmers, fruit growers, truck growers, wholesale fruit dealers, and other large interest in this State and such persons have come to rely and depend upon said bureau for information concerning weather conditions; and

Whereas, said station, as now operated in connection with the State University of Kentucky, is rapidly becoming of greater importance because of its free instructional feature to the students of said university and has practically become a department of said university, although not such in fact; and

Whereas the quarters now occupied by said station, now furnished gratuitously by the State University, are inadequate; and the said University proposes to donate to the United States Government the necessary grounds if the Government will construct a building for the accommodation of a Weather Bureau Station; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That it is the sense of the General Assembly of the Commonwealth of Kentucky that the maintenance and operation of a permanent United States Weather Bureau Station in connection with the State University at Lexington, Kentucky, is of great importance and will be of great benefit to the State.

§ 2. That the Kentucky Representatives in Congress be and they are hereby requested and urged to use their influence in securing, at the earliest possible date, an appropriation by Congress for constructing and equipping a suitable building for a permanent United States Weather Bureau Station at Lexington, Kentucky, in connection with or near the State University.

§ 3. In the event an appropriation is made by Congress for the purposes set out in section 2 of this resolution, the Trustees of the State University of Kentucky are hereby authorized, empowered and directed to cede and donate to the United States Government a sufficient quantity of ground, now owned, or which may be acquired, by said State University, with all necessary right of ingress to and egress from the same, to be used for a building for such United States Weather Bureau Station, reserving, however, over the land thus donated, the right of State and municipal police regulation.

Ordered that said resolution lie on the Clerk's desk.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Farris, of the Committee on Agriculture:

H. B. 436. An Act to prevent the breaking or cutting of fences.

By Mr. Tieman, of the Committee on Cities of the Fourth Class:

H. B. 77. An Act to amend an Act entitled, "An Act for the government of Cities of the Fourth Class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as

same, has since been amended, all of which said act and amendments, now appear in Article 5 of Chapter 89, of the Kentucky Statutes, John D. Carroll's edition thereof in 1909, whereby cities of the fourth class may go under the commission form of government.

With an amendment thereto.

By Mr. Hammond, of the Committee on Education No. 1:

H. B. 128. An Act to provide for the payment of the services of members of division Boards of Education.

With the expression of opinion that same ought not to pass.

Mr. Polin moved that said bill be refused a first reading.

Said motion was agreed to.

By Mr. Hammond, of the Committee on Education No. 1:

H. B. 66. An Act to prevent sectarian influences in the Common Schools by prohibiting teachers in the common schools from wearing while teaching therein any distinctive religious dress, mark, emblem or insignia.

By Same:

H. B. 79. An Act fixing the time of holding the election of school trustees throughout this Commonwealth.

By Mr. Douglas, of the Committee on Education No. 2:

H. B. 307. An Act prohibiting Superintendents of Public Schools, principals or supervisors or teachers, who receive compensation for such service out of the public school fund, from acting as sales agent, either directly or indirectly for any school book publishing house qualified to sell school text books in the State of Kentucky.

By Same:

H. B. 366. An Act providing for the furnishing of school books free of charge to all school children attending the common schools.

Without expression of opinion.

By Same:

H. B. 367. An Act authorizing boards of education of counties, cities and other school districts and trustees of graded school districts to furnish free of charge school books and providing for a tax levy to be used for that purpose.

Without expression of opinion.

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

H. B. 5. An Act to repeal an Act entitled "An Act to repeal Section 1136, Chapter 36 of the Kentucky Statutes, and to substitute therefor, being Chapter 4 of the Acts of Session of 1910 of the General Assembly of Kentucky, approved March 7, 1910.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 39. An Act creating a State Board of Accountancy prescribing its powers and duties, providing for examination and issuing certificates to certified accountants and providing penalties for violation of the provisions of this act.

By Same:

H. B. 53. To postpone the date of payment of taxes.

With the expression that same ought not to pass.

Mr. Duncan moved that said bill be given a first reading, the report of the committee to the contrary notwithstanding.

Said motion was agreed to.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 184. An Act to amend an act entitled, An Act relating to revenue and taxation providing for a license tax on bonded, compounded, adulterated or rectified distilled spirits known and designated as single stamp spirits and providing penalties for violation of its provisions, said act was passed by the General Assembly at a special session in 1906.

With the expression of opinion that same ought not to pass.

Mr. Mount moved that said bill be given a first reading, the report of the committee to the contrary notwithstanding.

Said motion was disagreed to.

Said bills, except those refused a first reading by the House, were severally read the first time at length and ordered to be placed on the calendar.

H. B. 390. An Act to amend and re-enact Section 20 of the Banking Act of 1912 relating to the incorporation of Banks and combined Banks and Trust Companies and to amend Section 6 of said Act by providing for the employment of an additional Bank Examiner.

H. B. 289. An Act to amend Section 644, subdivision 2, Art. 4, Chapter 32, Kentucky Statutes, relating to the subject of Life Insurance.

H. B. 364. An Act regulating the cancellation of accident and health insurance.

With an amendment thereto.

H. B. 225. An Act to amend an Act entitled "An Act for the creation and regulation of private corporations," being an act relating to the subject of insurance and the transaction of the business of life or casualty insurance or both life and casualty insurances upon the co-operative or assessment plan.

H. B. 355. An Act amending section 839, subdivision 4, Article 5, Chapter 32 of the Kentucky Statutes, Carroll's Edition 1909, relating to condemnation of land.

H. B. 352. An Act to abolish what is known as "Loan Sharks" and to regulate and license the business of loaning money on chattel mortgages.

H. B. 391. An Act to amend Section 133, Carroll's 1909 Edition Kentucky Statutes, entitled, "Attorneys-at-law."

H. B. 171. An Act to repeal and re-enact Sec. 2204, 221 and 2212 of Carroll's Statutes, edition of 1909, providing for inspector of illuminating oils and providing that the fees collected therefor shall be turned into the State Treasurer's office, all relating to the inspection of illuminating oil.

With an amendment thereto.

H. B. 387. An Act to amend Chapter 63 of the Kentucky Statutes, relating to the State Board of Health.

H. B. 103. An Act exempting from taxation certain rights of ways of the Public Highways of the various counties of this Commonwealth.

H. B. 132. An Act to amend an act entitled, "An Act defining public roads—providing for their establishment, regulating and construction and use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof."

With an amendment thereto by way of substitute therefor.

H. B. 143. An Act to amend Section 11 of an Act entitled, "An Act defining motor vehicles, providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March 23, 1910.

H. B. 162. An Act defining Public Roads; providing for their establishment, regulation, use and maintenance, and creating the office of County Road Engineer, and of prescribing the duties thereof.

With an amendment thereto.

H. B. 395. An Act to provide means whereby the Commonwealth of Kentucky may aid the counties in the improvement of their public roads.

Ordered that said bills be severally read the second time.

The provision of the Constitution as to the reading of said bills at length, being dispensed with, said bills were severally read the second time by their titles.

Said bills were ordered to be placed in the orders of the day.

Mr. McCormack, of the Committee on Education No. 1, to which Committee a bill had been recommitted with leave to report at any time, reported,

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

And moved that said bill be placed upon its passage.

Mr. Judy moved as an amendment to said motion, that said H. B. 70 be made a special order for Thursday, the 12th instant, at 11:00 A. M.

Said last named motion was agreed to.

The time having arrived for taking up the special order, viz.:

H. B. 45. An Act to revise a part of the revenue laws of this State and to repeal certain sections of Carroll's Stat-

utes of Kentucky, edition 1909 and subsequent acts amendatory thereof, all relating to revenue and taxation.

Mr. Hamilton moved that the consideration of said bill be postponed until 2:00 o'clock P. M. this day.

Said motion was agreed to.

The House took up for consideration, from the orders of the day a bill entitled:

H. B. 133. An Act making it unlawful for insurance companies writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in Kentucky, and not incorporated under the laws of said State, but licensed to write such insurance therein through legally licensed agents, to write or cause to be written such insurance against loss or damage to property therein, except the same be written by legally licensed agents of said companies under the laws of said State and residing therein, prescribing certain requirements to be complied with by owners of property procuring insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in companies not legally licensed to write such insurance in said State; fixing the venue of prosecution for the violation of certain sections hereof; and providing certain penalties.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any insurance company writing insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in the State of Kentucky and not incorporated under the laws of said State, but licensed under the laws thereof to write such in-

surance therein through legally licensed agents, to write or cause to be written contracts of insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties covering property located in said State; or to issue a policy re-insuring against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties any property located in said State that was originally insured by a company not licensed to write insurance in said State, unless the same shall be written by a legally licensed agent of said company under the laws of and residing in said State, provided, however, that this act shall not apply to common carriers engaged in Interstate Commerce.

§ 2. That before a license shall be issued to or renewed by any company authorizing it to write insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties covering property located in Kentucky, the Insurance Commissioner shall require in addition to other requirements provided by law that each company applying for a license to write insurance in this State, shall file with him the affidavit of its president or other chief officer to the effect that it has not violated the provisions of this Act within the last preceding twelve months and that its terms and provisions are accepted by said company.

§ 3. Upon complaint in writing filed with the Insurance Commissioner that any company licensed to write insurance against loss by fire, lightning, hail, windstorm, sprinkler leakage or other casualties in this State, has violated any of the provisions of this Act, it shall be the duty of said Insurance Commissioner, through his representatives, to diligently investigate said reported violation and to this end he is authorized to examine the books of any company so complained of and its officers, under oath, as to such alleged violation, and to report his findings in writing to any Circuit Court of this Commonwealth to be by said court submitted to the grand jury, and if any company shall violate the provisions of Section 1 of this Act it shall pay in addition to the penalty

herein imposed the expenses incurred in making said investigation, otherwise, said expenses shall be paid out of the insurance funds of the State.

§ 4. It shall be unlawful for any person, association or corporation other than common carriers engaged in Interstate Commerce, to procure insurance against loss or damage by fire, lightning, hail, windstorm, sprinkler leakage or other casualties upon property of any character located in Kentucky, in any company not legally licensed to write such insurance under the laws of said State, unless such person, association or corporation procuring such insurance, retain from the insurance company so insuring ten per centum of the premium charged for such insurance and shall pay same into the Treasury of Kentucky within thirty days after the premium thereon is paid. Any person, association or corporation violating this section shall be liable for said ten per centum of the premium charged and, in addition thereto, subject to a fine of not less than $50.00 nor more than $250.00 for each offense, the same to be recovered by indictment in any Circuit Court of this Commonwealth.

§ 5. Any insurance company violating Section 1 of this Act shall be liable to a fine not exceeding $1,000.00 for each offense.

§ 6. All laws and parts of laws in conflict herewith are hereby repealed. Nothing herein contained shall be construed to repeal any portion of Sections 638 and 698 of Kentucky Statutes, 1909 Edition, but said Sections shall be continued in force and made applicable to this Act.

The Committee on Insurance, Fire and Marine, offered the following amendment to said bill:

Your committee recommends that Section 6 of House Bill 133 be amended by adding the following provisions:

Provided, however, that nothing in this Act shall be

construed as applying to mutual companies or to reciprocal or inter-insurance exchange.

Said amendment was adopted.

Mr. Hutchcraft offered the following amendment to said bill:

Amend Section 4, line 8, by striking out "ten" and substituting "four."

Said amendment was adopted.

Mr. Coke moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length, being dispensed with,

Said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	A. T. Bryson	George T. Davis
Harry Avery	C. W. Burton	James R. Dorman
Geo. B. Barrett	Glover H. Cary	John W. Douglas
J. M. Billeter	Ed. F. Cecil	John Drescher
Joseph Boitnott	J. G. Coke, Jr.	H. C. Duffy
Elmer L. Brown	Benjamin L. Cox	William Duffy

Odie Duncan	John H. Klette	Dr. W. R. Ray
G. P. Durrett	J. C. Lay	Stanley F. Reed
Thomas J. Evans	Simon B. Lott	S. H. Rogers
M. J. Farris, Jr.	C. R. Luker	W. E. Rogers
Vert C Fraser	Dr.J.N.M'Cormack	B. T. Rountree
Frank C. Greene	Geo. M. McDowell	S. M. Saufley
C. M. Gum	John McDyer	A. W. Sharp
E. V. Hall	J. R. Mount	W. A. Shawler
Elwood Hamilton	Harry J. Myers	L. M. Smith
V. D. Hammond	Zach. L. Myers	Ed. D. Stone
H. H. Harrington	John E. Newman	W. T. Stott
J. B. Harvey	C. B. Nichols	Louis Tieman
H. H. Hays	S. Mazyck O'Brien	N. C. Tilford
W. E. Henninger	A. W. Palmer	M. S. Walton, Jr.
Dr. S. L. Henry	Lyman J. Parrigin	James T. Webb
D. H. Hillman	William A. Perry	John F. White
R.B.Hutchcraft Jr.	John A. Polin	N. B. White
J. M. Johnson	Dr. T. J. Poteet	J. D. Wills
T. R. Jones	J. D. Pumphrey	M. O. Wilson
John A. Judy	Richard Radcliffe	Roy S. Wilson

—78

Those who voted in the negative were—

Ed. Frost	W. L. Hampton	William J. Kuh
John F. Fryer		

—4

Resolved, That the title thereof be as aforesaid.

Mr. Cary moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 1. An Act empowering Boards of Trustees of all common graded schools created by a vote of the people oper-

ating in this State, to levy and collect an annual tax for the maintenance, operation and support of the graded schools in their respective districts.

Mr. James T. Webb moved to defer consideration of said bill at this time and that same be made a special order for 11:30 A. M. Tuesday, February 24th.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 41. An Act defining cruelty to animals, prescribing means for the prevention thereof, and fixing penalties for its violation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person who wilfully sets on foot, instigates, engages in, or in any way furthers an act whereby unjustifiable physical pain, suffering or death is caused or permitted to any animal, or sets foot, instigates, engages in or furthers any act tending thereto, or by any act, conduct, neglect or omission wilfully causes, permits or suffers any animal to undergo any unjustifiable physical pain, suffering or death, shall be fined in any sum not less than five dollars nor more than twenty-five dollars. And the word "animal" shall include every living creature except man.

§ 2. Any person who overdrives, overloads, tortures, deprives of necessary sustenance or unnecessarily or cruelly beats or needlessly mutilates or kills any animal, or impounds or confines any animal in any place and fails to supply the same during such confinement with a sufficient quantity of

good, wholesome food and water and shelter, shall be fined in any sum not less than five dollars nor more than one hundred dollars, or imprisoned not exceeding sixty days.

Nothing herein shall be construed to prevent cattle from being dehorned.

§ 3. Any person who shall sell or offer for sale, use or expose any animal afflicted with any infectious or contagious disease, dangerous to the health or life of human beings or animals, or any auctioneer or salesman who shall knowingly receive for sale, offer for sale, or sell, any horse which by reason of debility, disease, lameness, infirmity, age, or for any other cause, could not be worked without violating laws for cruelty to animals, shall be fined not less than twenty-five nor more than one hundred dollars.

§ 4. Any person who shall lead, drive or transport on any public highway any animal which, because of debility, disease or lameness, could not be worked (except when carrying such animals for medical or surgical treatment, or to a place for its humane keeping or killing) shall be fined in any sum not less than five dollars nor more than twenty-five dollars.

§ 5. Any owner or person in control of any animal having or being affected with any contagious, or infectious disease, or any animal which, because of age, debility, lameness or disease, could not be worked, who shall remove the same or cause it to be removed from any county in which said animal may be to another county or any other State, for any purpose wahtever, shall be fined in any sum not exceeding fifty dollars, or imprisoned not more than thirty days, or both so fined and imprisoned.

§ 6. Any person who keeps or uses a pigeon or any bird or fowl for a target, or to be shot at for amusement, or as a test of skill in markmanship, or who shoots at any bird or fowl kept or used as aforesaid, or is present where such bird or fowl is so used for the purpose of shooting at the same, or causing it to be shot at, or who knowingly lets or

permits the use of any building, room, field or premise, for the purpose of such shooting, shall be fined not less than five dollars nor more than fifty dollars, or imprisoned not exceeding thirty days, or both so fined and imprisoned.

§ 7. When complaint is made to any County Judge, Justice of the Peace or Police Judge, on an affidavit of the complainant that affiant believes there are reasonable grounds to believe that any of the provisions of the law relating to or affecting animals are, or are about to be violated in any particular building or place, such Judge or Justice shall immediately issue a warrant directed to any Sheriff, Marshal, Policeman, Constable or Humane Officer, and deliver the same to such officer, which warrant shall authorize such officer to enter and search such building or place, and to arrest any person there present violating such law. The warrant shall authorize the officer to break and enter the building, or place, described therein, if necessary to gain admittance thereto.

§ 8. If any person arrested charged with the commission of any offense is in charge when arrested of any animal the Sheriff, Marshal, Policeman, Constable or Humane Officer may take charge of such animal and retain custody thereof until the person so arrested shall be tried: Provided, however, that the Judge or Magistrate before whom the warrant of arrest shall be returned may order such disposition of said animal as may to him appear best for the protection thereof. All expense incurred by any officer for care and sustenance of such animal shall be charged upon the same and such officer shall have a lien on such animal to secure the payment of such charges.

§ 9. Humane officers shall have the same powers and duties in the enforcement of the provisions of this Act within the county, city or town for which they shall be appointed, as are given sheriffs, marshals, policemen and constables by the laws of this Commonwealth.

§ 10. It shall be the duty of all sheriffs, marshals, constables, policemen and humane officers to enforce the foregoing Act.

The Committee on Criminal Law offered the following amendment to said bill:

Amend House Bill 41 by adding the following after Section 10:

Section 11. All laws and parts of laws in conflict with this act are hereby repealed.

Said amendment was adopted.

Mr. Hutchcraft offered the following amendment to said bill:

Amend by striking out section 6.

Said amendment was adopted.

Mr. Hutchcraft offered the following amendment to said bill:

Amend by adding the following additional section:

Nothing in this act shall be construed to prohibit the docking of horses or the training of waterspouts.

Said amendment was disagreed to.

Mr. Luker offered the following amendment to said bill:

Amend by striking out the words "or is present" in line 4 of section 6.

Said amendment was adopted.

Mr. Douglas moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and as amended was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	V. D. Hammond	William A. Perry
Henry C. Blades	H. H. Hays	Dr. T. J. Poteet
Joseph Boitnott	Dr. S. L. Henry	Dr. W. R. Ray
A. T. Bryson	D. H. Hillman	B. T. Rountree
Ed. F. Cecil	T. R. Jones	L. M. Smith
J. G. Coke, Jr.	John H. Klette	Ed. D. Stone
Benjamin L. Cox	J. C. Lay	W. T. Stott
George T. Davis	Simon B. Lott	Louis Tieman
James R. Dorman	Dr.J.N.M'Cormack	M. S. Walton, Jr.
John W. Douglas	W. T. McNally	James T. Webb
John Drescher	John G. Miller, Jr.	N. B. White
William Duffy	J. R. Mount	J. D. Wills
Frank C. Greene	Zach. L. Myers	M. O. Wilson
C. M. Gum	A. W. Palmer	Douglas G. Wood
W. L. Hampton	Lyman J. Parrigin	—44

Those who voted in the negative were—

James W. Barrall	H. H. Harrington	J. D. Pumphrey
C. W. Burton	J. J. Huff	Richard Radcliffe
Glover H. Cary	R. B. Hutchcraft Jr.	Stanley F. Reed
H. C. Duffy	J. M. Johnson	S. H. Rogers
John C. Duffy	John A. Judy	W. E. Rogers
Odie Duncan	William J. Kuh	S. M. Saufley
G. P. Durrett	C. R. Luker	A. W. Sharp
M. J. Farris, Jr.	Geo. M. McDowell	W. A. Shawler
Vert C Fraser	Harry J. Myers	Adam Spahn
Ed. Frost	John E. Newman	N. C. Tilford
John F. Fryer	C. B. Nichols	John F. White
E. V. Hall	S. Mazyck O'Brien	Roy S. Wilson
Elwood Hamilton	John A. Polin	—38

Resolved, That the title thereof be as aforesaid.

Mr. Reed moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 81. An Act to provide the time and manner of electing United States Senators.

Ordered that said bill be referred to the Committee on Suffrage and Elections.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 263. An Act to levy a tax to pay claims arising under an act entitled, "An Act granting pensions to indigent and disabled Confederate Soldiers and the widows of Confederate Soldiers," approved March 4, 1912, and to pay the expenses of the administration of such law.

Mr. Price offered the following amendment:

Amend by striking out "six and one-half" and inserting in lieu thereof "two and one-half."

Mr. Hamilton moved that said bill be made a special order for Tuesday, at 11:00 o'clock, February 17th.

The hour of 12:30, having arrived, in accordance with the resolution this day adopted, the House stands adjourned until 2:00 o'clock, P. M.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

The House took up for consideration the special order set for this hour, viz.:

H. B. 45. An Act to revise a part of the Revenue Laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky, Edition of 1909, and subsequent acts amendatory thereof, all relating to revenue and taxation.

Mr. Coke moved that the House do now resolve itself into a Committee of the Whole House for the purpose of hearing Senators Moody and Frost discuss the provisions of said proposed H. B. 45, relating to revenue and taxation.

Said motion was agreed to.

The Speaker of the House designated Mr. Hamilton as Chairman of the Committee of the Whole and vacated the chair.

The House was then convened in the Committee of the Whole, Mr. Hamilton presiding as Chairman.

After a time, the Speaker resumed the chair.

Mr. Hamilton, Chairman of the Committee of the Whole, reported that said Committee had heard Senators Moody and Frost discuss the subject of Revenue and Taxation and moved that said Committee be now dissolved.

Said motion was agreed to.

Mr. Hamilton moved to postpone the further consideration of H. B. 45 until tomorrow afternoon at 2:00 o'clock p. m.

Said motion was agreed to.

Mr. Brown moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 11, 1914.

The House was opened with prayer by the Rev. Father Joseph A. Flynn, of the Roman Catholic Church of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispenesd with.

Mr. J. T. Webb moved that the rules be suspended and the House take up for consideration the orders of the day.

Said motion was disagreed to.

Mr. Walton moved to suspend the rules and that each member who has a bill to introduce rise in his seat and present the same, without the call of respective counties and districts.

Said motion was agreed to.

By Mr. Mobley:

H. B. 477. An Act to change the time for electing trustees of common school subdistricts and to amend Section 2 of Chapter 25 of Acts, 1912.

To Committee on Education No. 1.

By Mr. Harvey:

H. B. 478. To amend an Act entitled, "An Act to authorize telephone companies, partnerships or individuals to

contract for a right of way across the lands of private persons and to condemn the right of way when the same is not secured by contract," approved March 21, 1904, and being Section 4679b Kentucky Statutes, and to further regulate the granting of rights of way and franchises to telephone companies.

To Committee on Public Utilities.

By Mr. Blades:

H. B. 479. An Act to furnish protection and means of escape from fire in buildings.

To Committee on Insurance, Fire and Marine.

By Mr. Wood:

H. B. 480. An Act to exempt moneys received from the United States Government and the Commonwealth of Kentucky by citizens as pensions.

To Committee on Federal Relations.

By Mr. Stone:

H. B. 481. An Act to abolish the office of Assessor in each county of this Commonwealth of Kentucky and provide that the Justice of the Peace in each Magisterial District assess the property, and the manner of appointing the Supervisors.

To Committee on Revenue and Taxation.

By Mr. Spahn:

H. B. 482. An Act to regulate grievances.

To Committee on Proposition and Grievances.

By Mr. Wilson:

H. B. 483. An Act for the relief of the blind.

To Committee on Appropriations.

By Mr. Polin:

H. B. 484. An Act to amend Section 3840 of Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 485. An Act to amend an act approved March 21, 1910, being Chapter 50 of the Acts of 1910, entitled, "An Act to amend an act entitled, 'An Act for the government of cities of the second class in the Commonwealth,' which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said Act and amendments now appear as Article 3 of Chapter 89 of the Kentucky Statutes."

To Committee on Municipalities.

By Mr. Frost:

H. B. 486. An Act to amend Section 783 of the Kentucky Statutes relating to railroads.

To Committee on Railroads.

By Mr. Walton:

H. B. 487. An Act fixing a license tax on the mining of coal in this Commonwealth.

To Committee on Mines and Mining.

By Mr. Shawler:

H. B. 488. An Act concerning fees of Sheriffs.

To Committee on Judiciary.

By Mr. Greene:

H. B. 489. An Act relating to the creating of a fund to aid in the prosecutions of violators of the liquor law.

To Committee on Alcoholic Liquor Traffic.

By Mr. Davis:

H. B. 490. An Act fixing a license tax on the mining of coal in this Commonwealth.

To Committee on Mines and Mining.

By Mr. Ray:

H. B. 491. An Act further defining the duties of the Attorney General and looking to the better protection of the State Treasury.

To Committee on Judiciary.

By Mr. Boitnott:

H. B. 492. An Act to repeal and re-enact an act entitled, "An Act granting pensions to indigent and disabled Confederate Soldiers," which act became a law March 11, 1912.

To Committee on Confederate Homes.

Mr. McDyer presented a petition signed by sundry citizens of Boyd county, stating that the time is ripe for statewide prohibition in Kentucky and petitioning the submission of the Constitutional Amendment at this session of the Legislature.

Said petition was received, and referred to the Committee on Alcoholic Liquor Traffic.

Mr. Harrington presented a petition signed by sundry citizens of Meade county, petitioning the General Assembly of Kentucky to enact Senate Bill 109, looking to the further regulation of Fire Insurance Rates in Kentucky.

Said petition was received and referred to the Committee on Insurance, Fire and Marine.

Mr. Henninger presented a petition signed by sundry citizens of Breckinridge county urging an amendment looking to State wide prohibition.

Said petition was received and referred to the Committee on Alcoholic Liquor Traffic.

Mr. Kelly presented a petition signed by sundry citizens of Owensboro and Daviess County urging the defeat of Senate Bill 109 and H. B. 275, which bills seek to regulate fire insurance in this State.

Said petition was received and referred to the Committee on Insurance, Fire and Marine.

Mr. Kelly presented a petition signed by sundry citizens of Owensboro urging the defeat of Bill 277, which would permit all physicians who were graduates in medicine, prior to 1905 to become registered pharmacists without examination.

Said petition was received, read and referred to the Committee on Public Health.

Mr. Saufley presented a petition signed by sundry citizens of Lincoln county urging the passage of a bill requiring one to have a written permit from the owner of the land before he can set steel traps, dead falls or the like on the land of another, and making the trapper responsible for all damages.

Said petition was received and referred to the Committee on Fish and Game.

Mr. Huff presented a petition signed by sundry citizens of Harlan county, stating that the time is ripe for state wide prohibition in Kentucky and urging the submission of the Constitutional Amendment introduced in Bill 424 and urging the support and passage of Bill 104 pertaining to twenty-five per cent of the voters of the county instead of twenty-five per cent of the voters of each precinct, on an election of the liquor question.

Said bill was received, read and referred to the Committee on Alcoholic Tiquor Traffic.

Mr. Mount called from the Clerk's desk, and moved its adoption, a resolution, viz.:

H. Res. 18. Resolution highly commending and endorsing President Woodrow Wilson and Congress for the untiring efforts put forth in enacting into law much needed legislation.

(For resolution see Journal of Feb. 11, 1914.)

Said resolution was adopted.

Mr. Douglas offered the following resolution:

Resolved, That Hon. W. O. Davis, Chairman of the State Tax Commission, who has devoted two years to a careful study of our revenue system, be invited to address the House as the first order of business at the afternoon session today, and answer any questions propounded on the subject by members.

Mr. Hamilton offered the following amendment to said resolution:

Amend by striking out "today" and inserting in lieu thereof, "tomorrow."

Said resolution as amended, was adopted.

The committees to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Hammond, of the Committee on Education No. 1:

H. B. 116. An Act to amend an act entitled "An Act for the government and regulation of the common schools of the State," which became a law March 24, 1908, as amended, by Chapter 25 of the Acts of 1912.

By Same:

H. B. 393. An Act to provide for a biennial census of school children and fixing the ages of school children in the common schools of Kentucky.

By Same:

H. B. 282. An Act giving additional powers to the County Board of Education concerning consolidated schools and levying a local tax for their operation and maintenance.

Without expression of opinion.

By Same:

H. B. 392. An Act to amend Sections 4464, 4464a, 4480, 4482, Article 10, Kentucky Statutes, Carroll's Edition 1909, and repealing Section 4464b thereof, and amending said Article 10, of said Statutes, relating to schools by adding thereto Section 4500b.

By Same:

H. B. 416. An Act to provide for the proper location, construction and re-construction of school houses in this Commonwealth.

By Same:

H. B. 170. An Act to amend an act as amended by an Act of March 21, 1902, Section 4369, Kentucky Statutes, Carroll's Edition 1909, relating to certificates granted to pupils who complete common school courses.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 368. An Act to allow the use of hoopnets in the navigable rivers of Kentucky.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Fryer, of the Committee on Internal Improvements:

H. B. 172. An Act to suppress foul brood and other dangerous diseases of bees.

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

H. B. 135. An Act to repeal Section 13 and 14 of an Act approved March 26, 1908, entitled "An Act to appropriate money for the benefit of Houses of Reform," to provide funds to pay the existing deficit, and to make improvements at the Houses of Reform.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Johnson, of the Committee on Public Warehouses and Granaries:

H. B. 409. An Act to make uniform the law of warehouse receipts and prescribing the duties of warehousemen and penalties for breach of said duties.

Without an expression of opinion.

By Mr. Evans, of the Committee on Insurance, Fire and Marine:

H. B. 298. An Act to further regulate co-operative or assessment fire insurance companies.

Said bills were severally read the first time at length and ordered to be placed upon the calendar.

Mr. Hutchcraft, of the Committee on Fish and Game, to which Committee House Bill 174 had been recommitted, reported same, with an amendment thereto, by way of substitute therefor, and asked that said substitute be printed.

Ordered that said substitute be printed.

Mr. Hutchcraft, of the Committee on Fish and Game, to which Committee House Bill 175 had been recommitted, reported same, with an amendment thereto, by way of substitute therefor, and asked that said substitute be printed.

Ordered that said substitute be printed.

A message was received from the Senate announcing that they had adopted resolutions of the following titles:

S. Res. 8. Resolution for the payment to the widow of the late Wm. Carnes, the salary due him for services rendered the State as Special Judge of the Breathitt Circuit Court.

S. Res. 12. Resolution to pay Mrs. Biggerstaff the per diem of her deceased husband.

Ordered that said resolutions lie on the Clerk's desk.

A message was received from the Senate announcing that they had passed a bill which originated in that Body, of the following title, viz.:

S. B. 104. An Act to amend Chapter 81, Article 1, entitled "Liquors—Intoxicating" of Kentucky Statutes, Carroll's Edition 1909, by repealing Section 2554 and 2557, and enacting other provisions in lieu thereof.

Ordered that said bill be referred to the Committee on Alcoholic Liquor Traffic.

The hour of 11:00 o'clock, A. M., having arrived, the House took up, for consideration, the special order for said hour, to-wit: a bill entitled:

H. B. 74. An Act forbidding the use and acceptance of passes by public officials and forbidding carriers to furnish passes to officials.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any State, District, County, City, or Town officer, member of the General Assembly or Judge of a Court to accept from any common carrier, corporation, company, firm, person or from any agent or representative of such carrier, corporation, company, firm or person engaged in the business of carrying passengers for compensation, directly or indirectly, or to use in traveling, a free pass, free mileage book, free ticket or gratuitous transportation over its lines or any such pass, ticket or transportation sold at a reduced rate not common to the public, and any officer, member or judge named in this section found guilty of violating this Act shall for each offense be fined

under indictment not less than two hundred dollars nor more than one thousand dollars and a judgment of conviction shall declare vacant the office of any such officer, member or judge.

§ 2. And it shall further be unlawful for any common carrier, corporation, company, firm, person or any agent or representative of such carrier, corporation, company, firm or person engaged in the business of carrying passengers for compensation to give or furnish to, directly or indirectly, any officer, member or judge mentioned in the first section of this Act a free pass, free ticket, free mileage book or gratuitous transportation over its lines or to sell transportation to any such officer, member or Judge at a reduced rate not common to the public and any carrier, corporation, company, firm, person or any agent or representative of such carrier, corporation, company, firm or person found guilty of violating this Act shall be fined under indictment not less than two hundred dollars nor more than one thousand dollars for each offense.

§ 3. And it shall be deemed a violation of this Act if any free or reduced rate transportation mentioned herein shall be furnished by any carrier, corporation, company, firm, person, agent or representative mentioned in the first section of this Act, to or accept by a member of the family of any officer, member or judge named in this Act or furnished by such carrier, corporation, company, firm, person, agent, or representative, to or accepted by any person at the instance and request of any officer, member or Judge named herein, and any such violation by the carrier, corporation, company, firm, person, or agent or representative shall be fined under indictment not less than two hundred dollars ($200.00) nor more than one thousand dollars ($1,000.00) and the officer, member or judge making such request for a member of his family or other person shall upon conviction be fined in a like sum and a judgment of conviction against such

officer, member or judge shall declare the office held by him vacant.

§ 4. The Franklin Circuit Court shall have jurisdiction of all prosecutions under this Act.

The Committee on Railroads offered the following amendment to said bill by way of substitute therefor:

An Act to make it unlawful for common carriers to issue or give free passes or free transportation, or for any person, except as herein provided, to receive or use free passes or free transportation, and to provide penalties for any violation of the terms of this Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no common carrier subject to the provisions of this Act shall, after July first, Nineteen Hundred and Fourteen, directly or indirectly, issue or give any intrastate free ticket, free pass, or free transportation for passengers, except to its employes and their families, its officers, agents, surgeons, physicians, and attorneys at law; inmates of hospitals and charitable and eleemosynary work; to indigent, destitute and homeless persons, and to such persons when transported to charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the National Homes or State Homes for disabled Confederate or Federal Soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning after discharge; to necessary caretakers of live stock, poultry, milk and fruit; to employees on sleeping cars, express cars, and to linemen of telegraph and telephone companies; to Railway Mail Service employees, post-office inspectors, customs inspectors, and immigration inspectors; to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier is interested,

persons injured in wrecks and physicians and nurses attending such persons: Provided, That this provision shall not be construed to prohibit the interchange of passes for the officers, agents and employees of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object to providing relief in cases of general epidemic, pestilence, or other calamitous visitation; and provided further, that this provision shall not be construed to prohibit the privilege of passes or franks, or the exchange thereof with each other, for the officers, agents, employees, and their families or such telegraph, telephone and cable lines, and the officers, agents, employees and their families of other common carriers subject to the provision of this act. Provided, further: That the term "employees" as used in this paragraph shall include furloughed, pensioned and superannuated employees, persons who have become disabled or infirm in the service of any such common carrier, and the remains of a person killed in the employment of a carrier, and ex-employees traveling for the purpose of entering the service of any such common carrier; and the term "families" as used in this paragraph shall include the families of those persons named in this proviso, also the families of persons killed and the widows during widowhood and minor children during minority, of persons who die, while in the service of any such common carrier. Any common carrier violating this provision shall be deemed guilty of a misdemeanor, and for each offense, on conviction, shall pay to the Commonwealth of Kentucky a penalty of not less than one hundred dollars nor more than two thousand dollars, and any person, other than the persons excepted in the provision, who uses any such intrastate free ticket, free pass, or free transportation shall be subject to a like penalty.

§ 2. Any state, district, county, city or school officer, including any legislative, judicial, or executive officer of any political division of the State, whether he be elected or ap-

pointed to such office, who shall have been convicted of violating the provisions of Section 1 of this Act shall thereby lose and forfeit his office, and every judgment of conviction shall include the forfeiture of the office.

§ 3. The Circuit Court of Franklin County or any county in which a free pass or free transportation is accepted or issued, shall have jurisdiction of the offense.

Mr. J. C. Duffy offered the following amendment to said substitute, viz.:

Amend Section 1 by inserting between the words "transportation" and the word "for" in line 4, the following:

"Or sell tickets or transportation at reduced rates not common to the public." And by inserting in line 5, immediately after the word "law" the following: "when not holding any office named in Section 2 of this act."

Said amendment was agreed to.

Mr. Phelps offered the following amendment by way of substitute therefor, to the substitute offered by the Committee on Railroads, viz.:

An Act to prohibit the giving of free passes and the selling of tickets at reduced rates not common to the public by any railroad, steamboat, or other common carrier, to any State, district, city, town or county officer or member of the General Assembly, or Judge, and to prohibit the use and acceptance, by any of said officers, of such free passes and tickets or transportation at reduced rates not common to the public, and to provide punishments therefor.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any railroad, steamboat or other common carrier to give a free pass, or passes, to

any State, district, city, town or county officer, member of the General Assembly, or Judge, or to sell to any of them tickets or transportation at reduced rates not common to the public.

§ 2. No State, district, city, town or county officer, member of the General Assembly, or Judge, shall accept or use a free pass or passes, nor shall they, or either of them, accept or use tickets or transportation over the lines of any railroad, steamboat or other common carrier at reduced rates not common to the public.

§ 3. Any railroad, steamboat or other common carrier which shall violate Section One of this Act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine in any sum not less than Five Hundred Dollars nor more than Two Thousand Dollars.

§ 4. Any State, district, city, town or county officer, member of the General Assembly, or Judge who shall violate the provisions of this Act, shall be punished by a fine of One Hundred Dollars, and shall forfeit his office. The judgment entered upon a verdict of guilty in such case shall recite, in substance, that the defendant's office (naming it) is forfeited and declared vacant, which forfeiture shall take effect and the office become vacant immediately upon the signing of the judgment by the presiding judge of the court in which the case is tried.

Said amendment by way of substitute offered by Mr. Phelps, was disagreed to.

Mr. Harry J. Meyers offered the following amendment by way of substitute for said bill, and all substitutes and pending amendments, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Secretary of State shall issue a certificate in card form, under the seal of the State of Kentucky, to each

and every person entitled to pass and re-pass free of charge over all railroads now or hereafter to be operated in this State, certifying the title of each person's office, and that the said person entitled to pass and re-pass free of charge over all railroads now or hereafter to be operated in this State, and the date of expiration of the term of office of such person, which shall be issued to each person at the beginning of the term of office or appointment, and that the Secretary of State shall at the same time provide and mail to each and every railroad company in the State of Kentucky a list or lists of each and every person to whom such certificates have been issued within forty-eight hours after the issuance thereof, and each certificate shall bear the date of issue and the signature of the person to whom the same is issued shall appear on the back of said certificate.

§ 2. Said certificate shall be produced or shown on request to the Conductor or the person in charge of the train on which said persons shall ride over any railroad in said State, and shall entitle the person to whom the same is issued to pass and re-pass without payment of fare over any and all railroads in the State of Kentucky within the borders of said State.

§ 3. This act shall take effect immediately.

Said amendment, by way of substitute, as offered by Mr. Meyers, was disagreed to.

Mr. Hamilton moved that the session be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Judy moved that the further consideration of said bill and substitute and pending amendments be postponed indefinitely.

The yeas and nays being called for by Messrs. Ray and Hutchcraft, on said motion to postpone, were as follows:

Those who voted in the affirmative were—

Peter Ampler	William Duffy	Harry J. Myers
Jas. W. Barrall	John F. Fryer	Zach. L. Myers
Geo. B. Barrett	J. J. Huff	William A. Perry
A. T. Bryson	John A. Judy	J. D. Pumphrey
C. W. Burton	William J. Kuh	A. W. Sharp
Ed. F. Cecil	J. C. Lay	Adam Spahn
James R. Dorman	W. T. McNally	John F. White
John W. Douglas		—22

Those who voted in the negative were—

Harry Avery	H. H. Harrington	Dr. T. J. Poteet
Henry C. Blades	J. B. Harvey	W. A. Price
Elmer L. Brown	H. H. Hays	Richard Radcliffe
Glover H. Cary	W. E. Henninger	Dr. W. R. Ray
J. G. Coke, Jr.	Dr. S. L. Henry	Stanley F. Reed
Benj. L. Cox	D. H. Hillman	S. H. Rogers
George T. Davis	R.B.Hutchcraft Jr.	W. E. Rogers
John Drescher	J. M. Johnson	S. M. Saufley
H. C. Duffy	Griffin Kelly	W. A. Shawler
John C. Duffy	John H. Klette	L. M. Smith
Odie Duncan	Simon B. Lott	Ed. D. Stone
G. P. Durrett	Dr.J.N.M'Cormack	W. T. Stott
Thomas J. Evans	John G. Miller, Jr.	Louis Tieman
M. J. Farris, Jr.	T. T. Mobley	N. C. Tilford
Vert C Fraser	J. R. Mount	M. S. Walton, Jr.
Ed Frost	John E. Newman	James T. Webb
Frank C. Greene	C. B. Nichols	N. B. White
E. V. Hall	S. Mazyck O'Brien	J. D. Wills
Elwood Hamilton	Lilburn Phelps	M. O. Wilson
W. L. Hampton	John A. Polin	Roy S. Wilson
V. D. Hammond		—61

Mr. Klette moved the previous question on substitute and all pending amendments.

Said motion was agreed to.

Said substitute amendment, as amended, was then agreed to.

Ordered that said bill, as amended, be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	William Duffy	J. B. Harvey
Harry Avery	Odie Duncan	H. H. Hays
Jas. W. Barrall	G. P. Durrett	Dr. S. L. Henry
Geo. B. Barrett	Thomas J. Evans	W. E. Henninger
Henry C. Blades	M. J. Farris, Jr.	D. H. Hillman
Elmer L. Brown	Vert C Fraser	R.B.HutchcraftJr.
A. T. Bryson	Ed. Frost	J. M. Johnson
Glover H. Cary	John F. Fryer	T. R. Jones
Ed. F. Cecil	Frank C. Greene	Griffin Kelly
J. G. Coke, Jr.	C. M. Gum	John H. Klette
Benjamin L. Cox	E. V. Hall	J. C. Lay
James R. Dorman	Elwood Hamilton	Simon B. Lott
John Drescher	W. L. Hampton	Dr.J.N.M'Cormack
H. C. Duffy	V. D. Hammond	Geo. M. McDowell
John C. Duffy	H. H. Harrington	W. T. McNally

John G. Miller, Jr.	W. A. Price	Louis Tieman
T. T. Mobley	Richard Radcliffe	N. C. Tilford
J. R. Mount	Dr. W. R. Ray	M. S. Walton, Jr.
Harry J. Myers	Stanley F. Reed	James T. Webb
Zach L. Myers	S. H. Rogers	John F. White
John E. Newman	W. E. Rogers	N. B. White
C. B. Nichols	S. M. Saufley	M. O. Wilson
S. Mazyck O'Brien	W. A. Shawler	Roy S. Wilson
Lilburn Phelps	L. M. Smith	J. D. Wills
William A. Perry	Adam Spahn	Douglas G. Wood
John A. Polin	Ed. D. Stone	—79
Dr. T. J. Poteet	W. T. Stott	

Those who voted in the negative were—

C. W. Burton	J. D. Pumphrey	William J. Kuh
John W. Douglas	John A. Judy	—5

Resolved, That the title thereof be as aforesaid.

Mr. Walton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. McCormack moved that the time for hearing the address by Mrs. Cora Wilson Stewart be fixed at 3:00 o'clock P. M. today.

Said motion was agreed to.

Mr. Hamilton moved that the further hearing of H. B. 45 be postponed until immediately after the address to be made by Mrs. Cora Wilson Stewart, and that this House do now take a recess until 3:00 o'clock P. M.

Said motion was agreed to.

AFTERNOON SESSION.

At 3:00 o'clock the House reconvened.

In accordance with a resolution heretofore adopted, by this House, the House went into the Committee of the Whole on the State of the Commonwealth for the purpose of hearing Mrs. Cora Wilson Stewart deliver a lecture on the subject of illiteracy in the State of Kentucky.

The Speaker designated Mr. Evans to preside as Chairman of the Committee of the Whole.

After a time the Chairman announced that said Committee had heard said lecture and asked to be discharged, whereupon the Speaker resumed the chair.

Mr. Saufley moved that the rules be suspended and the House take up for consideration, from the orders of the day, and place upon its passage, a bill entitled:

H. B. 253. An Act concerning illiteracy in the State of Kentucky and to provide for the creation of a Commission to be known as The Kentucky Illiteracy Commission and to provide for the duties and powers thereof.

Said motion was agreed to.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a commission to be known as "The Kentucky Illiteracy Commission," which shall be composed of five persons, both men and women, in-

cluding the Superintendent of Public Instruction, who shall be ex officio a member thereof. Said commissioners shall be appointed by the Governor of the Commonwealth and shall be selected for their fitness, ability and experience in matters educational and their acquaintance with the conditions of adult illiteracy in the State of Kentucky and its various communities. Two of said commissioners shall hold office for two years and two for four years from the date of their first appointment by the Governor; after which, all of said commissioners shall hold for a period of four years, but the term of two of them shall expire biennially. Any and all vacancies occurring in said commission shall be filled for the unexpired term by the Governor. Said commissioners, or any of them, may be removed at any time for cause.

§ 2. The members of said commission and their successors in office shall be and are hereby constituted a body corporate with all the powers necessary to carry into effect all the purposes of this Act. Said commissioners, after their appointment and qualification, shall adopt a seal and organize by electing from their membership a President, Secretary and Treasurer to serve for the period of two years, or until their successors are elected and qualified, but the same person may be elected to serve both as Secretary and Treasurer of the commissioners, but said Secretary and Treasurer, whether or not the office be united in one person, shall execute a bond to the Commonwealth of Kentucky for the faithful performance of the trusts of their offices, for the proper handling and accounting of all the properties, assets and monies which may come into their hands by virtue of their offices, and in such amount and in such form and with such sureties as the commission shall approve. Said Secretary or Treasurer may at any time be removed and a successor be appointed by said commission in its discretion.

§ 3. Said commission may establish a permanent place for its meetings and shall in such place have an office, which shall be kept open at such regular times as the commission

may prescribe for the transaction of its business, and a majority of said commission shall constitute a quorum.

§ 4. It shall be the duty of said commission, and it shall have the power, to make research, collect data and statistics, and procure surveys of any and all communities, districts or vicinities of the State looking to the obtaining of a more detailed, definite and particular knowledge as to the true conditions of the State with regard to its adult illiteracy, and report regularly the results of its labors to the General Assembly; and to interest persons and institutions in the dispensation of any and all funds and endowments of whatsoever kind which will or may aid in the elimination of the adult illiteracy of the State, and to do or perform any other act which in their discretion will contribute to the elimination of the State's adult illiteracy by means of education, instruction and enlightenment; and said commission shall be empowered to receive, accept, hold, own, distribute and expend to the end of educating, instructing, enlightening and assisting in the education, instruction and enlightenment of illiterate persons in the State of Kentucky, any and all funds or any other thing of value, with which it may be endowed or may otherwise receive, and in the expenditure and disbursement thereof, said commission shall be controlled by such expedient and discreet regulations as it may from time to time adopt; provided, however, that any and all funds which may come to the hands of said commission shall be expended in keeping with the general purposes of this Act.

§ 5. Said commission shall adopt such rules and regulations as may seem expedient to it for the carrying on of its business in the manner which shall seem to it most systematic and satisfactory.

§ 6. The members of this commission shall receive no compensation for their services, but they shall be reimbursed out of any funds which shall come into the hands of the commission for the use of said commission, for their actual expenses incurred in the performance of their duties, same to

be paid monthly, upon vouchers duly approved by the commission, signed by the Secretary and countersigned by the President.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank C. Greene	Simon B. Lott
Harry Avery	C. M. Gum	Dr. J. N. M'Cormack
Geo. B. Barrett	E. V. Hall	Geo. M. McDowell
H. C. Blades	Elwood Hamilton	W. T. McNally
Joseph Boitnott	W. L. Hampton	John G. Miller, Jr.
Elmer L. Brown	V. D. Hammond	T. T. Mobley
A. T. Bryson	H. H. Harrington	J. R. Mount
C. W. Burton	J. B. Harvey	Harry J. Myers
Ed. F. Cecil	H. H. Hays	John E. Newman
J. G. Coke, Jr.	W. E. Henninger	S. Mazyck O'Brien
James R. Dorman	Dr. S. L. Henry	A. W. Palmer
John W. Douglas	D. H. Hillman	Lyman J. Parrigin
H. C. Duffy	J. J. Huff	Lilburn Phelps
John C. Duffy	R. B. Hutchcraft Jr.	William A. Perry
William Duffy	T. R. Jones	Dr. T. J. Poteet
Odie Duncan	John A. Judy	W. A. Price
G. P. Durrett	Griffin Kelly	Richard Radcliffe
M. J. Farris, Jr.	John H. Klette	Dr. W. R. Ray
Vert C. Fraser	William J. Kuh	Stanley F. Reed
Ed Frost	J. C. Lay	S. H. Rogers

W. E. Rogers	Ed. D. Stone	John F. White	
S. M. Saufley	Louis Tieman	M. O. Wilson	
A. W. Sharp	N. C. Tilford		
W. A. Shawler	M. S. Walton, Jr.		
L. M. Smith	James T. Webb		—72

Resolved, That the title thereof be as aforesaid.

Mr. McCormack moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Polin moved that this House do now adjourn.

Said motion was disagreed to.

The House took up for consideration the unfinished business from yesterday, to-wit: a bill entitled:

H. B. 45. An Act to revise a part of the Revenue Laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky, Edition of 1909, and subsequent acts amendatory thereof, all relating to Revenue and Taxation.

Mr. Hamilton moved that the further consideration of said bill be deferred until tomorrow at 2:00 o'clock P. M.

Said motion was agreed to.

Mr. Walton moved that this House do now adjourn.

Said motion was agreed to.

THURSDAY, FEBRUARY 12, 1914.

The House was opened with prayer by the Rev. Father Joseph A. Flynn, of the Roman Catholic Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Lott:

H. B. 493. An Act creating the "County Board of Liquor License Commission," prescribing the duties and compensation of persons appointed on said Commission, and fixing regulations under which saloons shall be conducted and licenses may be issued and the amount to be paid therefor.

To Committee on Alcoholic Liquor Traffic.

By Mr. Judy:

H. B. 494. An Act to amend and re-enact Article 1, Chapter 52 of the Kentucky Statutes, Edition of 1909, being Sections 1833 to 1851, inclusive, entitled, "Fiscal Courts," as amended by an Act entitled "An Act to amend Section 1850 of the Kentucky Statutes, Edition of 1909," being Chapter 116 of Acts 1910.

To Committee on County and City Courts.

By Mr. Brown:

H. B. 495. An Act to amend Section 8, of the Acts of the General Assembly of 1910, the same being approved March 23, 1910, and relating to the attendance of children at school in cities of the first, second, third and fourth classes.

To Committee on Municipalities.

By Mr. Henninger:

H. B. 496. An Act to provide for the inspection of all public and private charitable and reformatory institutions.

To Committee on Charitable Institutions.

By Mr. Drescher:

H. B. 497. An Act to amend an Act, entitled "An Act relating to cities of the fifth class," and repealing Section 3643, Chapter 89, Kentucky Statutes, Carroll's Edition.

To Committee on Cities of Fifth Class.

By Mr. Hammond:

H. B. 498. An Act making hazing by the students of the universities, colleges, normal schools and high schools in Kentucky unlawful, and providing punishment therefor.

To Committee on State Universities and Normal Schools.

By Mr. Wilson:

H. B. 499. An Act to regulate express companies and place their supervision under the Railroad Commission, and

to give the Railroad Commission power to regulate the rates that may be charged by them.

To Committee on Public Utilities.

Mr. McDyer presented a petition signed by sundry citizens of Boyd County relating to State-wide prohibition in Kentucky and urging the submission of the Constitutional Amendment at this session of the Legislature.

Said petition was received, read and referred to the Committee on Constitutional Amendments.

Mr. Brown presented a petition signed by sundry citizens of the City of Owensboro, urging the defeat of H. B. 277. Said petition was received, read and referred to the Committee on Public Health.

Mr. Mobley presented a petition signed by sundry citizens of Elliott County, urging the enactment of S. B. 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Hammond presented a petition signed by sundry citizens of Simpson County, urging the enactment of S. B. 109, looking to the further regulation of fire insurance rates in Kentucky.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Judy presented a petition signed by sundry citizens of Montgomery County, urging the defeat of H. B. 277.

Said petition was received, read and referred to the Committee on Public Health.

Mr. Radcliffe offered the following joint resolution, viz.:

H. Res. 20. Joint Resolution petitioning Congress to enact a law permitting the growers of tobacco to twist the tobacco of their own raising, and sell same free of any tax or license.

Whereas, the State of Kentucky is a great agricultural State, and

Whereas, one of the chief industries is the growing and marketing of tobacco, and

Whereas, this product of the soil gives more labor to more people and puts into circulation more money than any other one product grown in the State, and

Whereas, when said tobacco is placed upon the market the producer finds himself in the grasp of the American Tobacco Company, with little chance of securing reasonable prices for the fruits of his labor; now, therefore,

Be it resolved: That the members of this General Assembly do petition the National House of Representatives and the Senate, and especially the members of the House and Senate from this grand old Commonwealth, to use all honorable means to have a law enacted, whereby the growers of tobacco will be permitted to twist the tobacco of their own raising and sell same free of any tax or license, thereby opening up a new market to the producer for the products grown by him.

Ordered that said resolution lie on the Clerk's desk.

Mr. Reed moved that the rules be suspended and that the House take up for consideration from the Clerk's desk, a resolution entitled:

H. Res. 19. Resolution for the benefit of N. C. Tilford and Yeaman Watkins.

Said motion was agreed to.

(For said resolution, see Journal of date Feb. 10, 1914.)

Mr. Greene offered the following amendment to said resolution:

Amend, by adding the following:

"That Oscar Vest, Sergeant-at-Arms of the House, is allowed $32.50, fees and expenses in the contest case of Tilford vs. Watkins."

Said amendment was agreed to.

Said resolution, as amended, was adopted.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	Frank C. Greene	T. R. Jones
Geo. B. Barrett	C. M. Gum	John A. Judy
Joseph Boitnott	E. V. Hall	John H. Klette
Elmer L. Brown	Elwood Hamilton	William J. Kuh
A. T. Bryson	V. D. Hammond	C. R. Luker
J. G. Coke, Jr.	H. H. Harrington	Dr.J.N.M'Cormack
John W. Douglas	J. B. Harvey	Geo. M. McDowell
H. C. Duffy	H. H. Hays	W. T. McNally
John C. Duffy	W. E. Henninger	John G. Miller, Jr.
William Duffy	D. H. Hillman	Harry J. Myers
G. P. Durrett	J. J. Huff	John E. Newman
John F. Fryer	R.B.Hutchcraft Jr.	S. Mazyck O'Brien

Lyman J. Parrigin	Richard Radcliffe	M. S. Walton, Jr.
Lilburn Phelps	Stanley F. Reed	James T. Webb
William A. Perry	B. T. Rountree	W. M. Webb
John A. Polin	A. W. Sharp	Roy S. Wilson
W. A. Price	Adam Spahn	Douglas G. Wood
J. D. Pumphrey	Louis Tieman	—53

Those who voted in the negative were—

Benjamin L. Cox	Griffin Kelly	W. E. Rogers
Thomas J. Evans	J. R. Mount	Ed. D. Stone
Vert C Fraser	C. B. Nichols	W. T. Stott
Ed. Frost	Dr. W. R. Ray	John F. White
W. L. Hampton	S. H. Rogers	J. D. Wills

—15

The Committees to which the same had been referred, reported bills of the following title:

By Mr. Hampton, of the Committee on Alcoholic Liquor Traffic:

H. B. 341. An Act to make it unlawful in the State of Kentucky for any individual, firm or corporation engaged in the business of selling groceries, meats, vegetables, dry goods, notions or drugs, to sell or to keep for sale any intoxicating liquors, to be drunk on the premises, and to declare the same to be a nuisance, and to provide penalties therefor.

By same:

H. B. 356. An Act to confiscate and destroy, spirituous, vinous and malt liquors in local option territory.

By Mr. H. C. Duffy, of the Committee on Corporate Institutions:

H. B. 411. An Act to prevent the employment of private guards and gunmen and fixing the penalty for so doing, as well as preventing anyone acting in the capacity of guard or gunmen and fixing the penalty for so acting.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 384. An Act relating to crimes and punishments and for the protection of girls under sixteen years of age.

By Dr. Poteet, of the Committee on Public Health:

H. B. 425. An Act requiring bakers to wrap loaves of bread.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 130. An Act further regulating Common Carriers and prescribing the duties and powers of the Railroad Commission with reference thereto.

With an amendment thereto.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 358. An Act to regulate the tax on inheritances, and to amend Sections 4281a and 4281m, Article 19, Chapter 108, of the Kentucky Statutes, Carroll's Edition, 1909.

With an amendment thereto by way of substitute therefor.

By same:

S. B. 3. An Act to amend and re-enact Section 1309, Kentucky Statutes, Carroll's Edition of 1909, relating to carrying concealed weapons.

With amendments thereto.

By Same:

H. B. 418. An Act to amend subsection 1, 2, 3 and 16 of Section 1409, Chapter 40, Carroll's Kentucky Statutes, 1909 Edition, and extending said section by adding thereto.

By same:

H. B. 291. An Act requiring personal representatives and executors to file an inventory of the estate of their testators or intestatees.

By same:

H. B. 421. An Act to repeal and re-enact Section 4281a, Kentucky Statutes, relating to inheritance taxes.

By same:

H. B. 389. An Act providing for and regulating furnishing of natural gas by gas companies to residents of this State outside of cities and towns.

By same:

H. B. 438. An Act to amend an Act entitled, "An Act to incorporate the Kentucky Institution for the Education of the Blind," and to provide for the regulation thereof.

By Mr. J. C. Duffy, of the Committee on Revenue and Taxation:

H. B. 271. An Act to amend Section 10, of Article 17, of Chapter 22, of an Act of the General Assembly of Ken-

tucky, approved March 15, 1906, entitled, "An Act relating to Revenue and Taxation."

Said bills were severally read the first time at length and ordered to be placed on the calendar.

H. B. 436. An Act to prevent the breaking or cutting of fences.

H. B. 77. An Act to amend an Act entitled, "An Act for the government of cities of the fourth class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said act and amendments now appear in Article 5, of Chapter 89, of the Kentucky Statutes, John D. Carroll's Edition thereof in 1909, whereby cities of the fourth class may go under the commission form of government.

With an amendment thereto.

H. B. 66. An Act to prevent sectarian influences in the Common Schools by prohibiting teachers in the common schools from wearing while teaching therein, any distinctive religious dress, mark, emblem or insignia.

H. B. 79. An Act fixing the time of holding the election of school trustees throughout this Commonwealth.

H. B. 307. An Act prohibiting Superintendents of Public Schools, principals or supervisors or teachers, who receive compensation for such service out of the public school fund, from acting as sales agent, either directly or indirectly, for any school book publishing house qualified to sell school text boks in the State of Kentucky.

H. B. 366. An Act providing for the furnishing of school books free of charge to all school children attending the common schools.

H. B. 367. An Act authorizing boards of education of counties, cities and other school districts and trustees of graded school districts to furnish free of charge school books and providing for a tax levy to be used for that purpose.

H. B. 5. An Act to repeal an Act entitled "An Act to repeal Section 1136, Chapter 36 of the Kentucky Statutes," and to substitute therefor, being Chapter 4 of the Acts of Session of 1910.

With an amendment thereto by way of substitute therefor.

H. B. 39. An Act creating a State Board of Accountancy, prescribing its powers and duties, providing for examination and issuing certificates to certified accountants and providing penalties for violation of the provisions of this act.

H. B. 53. To postpone the date of payment of taxes.

H. B. 116. An Act to amend an act entitled "An Act for the government and regulation of the common schools of the State," which became a law March 24, 1908, as amended, by Chapter 25 of the Acts of 1912.

H. B. 393. An Act to provide for a biennial census of school children and fixing the ages of school children in the common schools of Kentucky.

H. B. 282. An Act giving additional powers to the County Board of Education concerning consolidated schools

and levying a local tax for their operation and maintenance.

H. B. 392. An Act to amend Sections 4464, 4464a, 4480, 4482, Article 10, Kentucky Statutes, Carroll's Edition 1909, and repealing Section 4464b thereof, and amending said Article 10, of said Statutes, relating to schools by adding thereto Section 4500b.

H. B. 416. An Act to provide for the proper location, construction and reconstruction of school houses in this Commonwealth.

H. B. 170. An Act to amend an Act as amended by an Act of March 21, 1902, Section 4369, Kentucky Statutes, Carroll's Edition 1909, relating to certificates granted to pupils who complete common school courses.

H. B. 368. An Act to allow the use of hoopnets in the navigable rivers of Kentucky.

With an amendment thereto by way of substitute therefor.

H. B. 172. An Act to suppress foul brood and other dangerous diseases of bees.

H. B. 135. An Act to repeal Section 13 and 14 of an Act approved March 26, 1908, entitled "An Act to appropriate money for the benefit of Houses of Reform," to provide funds to pay the existing deficit, and to make improvements at the Houses of Reform.

With an amendment thereto by way of substitute therefor.

H. B. 409. An Act to make uniform the law of warehouse receipts and prescribing the duties of warehousemen and penalties for breach of said duties.

H. B. 298. An Act to further regulate co-operative or assessment fire insurance companies.

Ordered that said bills be severally read the second time.

The provision of the constitution as to the reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

The hour of 11:00 o'clock having arrived, the House took up for consideration the special order of the day, to-wit:

A bill entitled:

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

(For said bill see House Journal Jan. 28th.)

Mr. J. C. Duffy offered the following amendment to said bill:

Amend by adding, at the end of section 2 the following:

Provided, however, that the additional levy of ten cents shall not be made until after submitting the question to the

voters of the school district at the election at which trustees are elected, and if a majority of all votes cast on said question be in favor of levying the said tax then the said Board shall ask the Fiscal Court to make the said levy.

Said amendment was disagreed to.

Mr. Saufley offered the following amendment to said bill:

Amend section 2, line 18, by adding after the word "months" the words "but no levy so made by the fiscal court shall be collectable, enforcible or valid until same shall have been approved by a vote of the people of the county or school district so affected.

Said amendment was disagreed to.

Mr. H. C. Duffy offered the following amendment:

"Amend by striking out all of section two."

Said amendment was disagreed to.

Mr. Lay offered the following amendment to said bill:

"Amend by striking out section two and inserting in lieu thereof, 'the people may vote a special tax amount to be determined by voters, to extend the school term, not to exceed ten months. Each school district must vote separately and determine for that district only as to tax and extension.'"

Said amendment was disagreed to.

Mr. H. C. Duffy moved to table said bill and all pending amendments.

Said motion was disagreed to.

Mr. Hall moved to reconsider the amendment offered by Mr. H. C. Duffy.

Said motion was agreed to.

Mr. McCormack moved that said bill and all pending amendments be recommitted to the Committee on Education No. 1 with leave to report at any time.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill entitled:

S. B. 77. An act to amend an Act entitled, "An Act for the government of cities of the third class in the Commonwealth of Kentucky," which was approved June 14, 1893, and thereafter, in due course, became a law and as same has since been amended, all of which said act and amendments now appear as Article 4, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909.

Ordered that said bill be referred to the Committee on Municipalities.

Mr. Farris, of the Committee on Agriculture, to which had been recommitted with leave to report at any time, reported a bill and asked that same be placed upon its passage, entitled:

H. B. 37. An Act to regulate the practice of veterinary surgeon, dentistry and medicine.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Governor shall appoint a board of examiners within thirty days after the passage of this act to be known as the State Board of Veterinary Examiners, said board to consist of Commissioner of Agriculture, Labor and Statistics, who shall be chairman, and four members, who shall be persons of recognized professional ability and honor in the veterinary profession in this State, and graduates of a school of veterinary medicine, surgery or dentistry recognized by the American Veterinary Medical Association, and who shall have practiced veterinary medicine, surgery or dentistry for at least five years immediately preceding such appointment. The term of office of the members shall begin on the first Monday of July in the year 1914, and they shall hold office as follows: One for one year, one for two years, one for three years and one for four years, or until their successors are appointed. The Governor shall appoint annually thereafter, before the first day of June, beginning with the year 1915, one veterinarian qualified as aforesaid, who shall hold office for four years from the first day of July next ensuing, and the Governor shall fill any vacancies that may occur. Any member of said board may be removed from office for cause by the Governor. Each member of the board shall receive five dollars per day for each day of service actually given in carrying out his duties under this act, in addition to his necessary traveling and contingent expenses incurred in attending the meetings of the board; but if revenue received from licenses does not pay all expenses, this board shall serve without compensation.

§ 2. The members of the board shall hold their first meeting on the first Monday in July, 1914, or as soon thereafter as possible at such hour and place as they shall determine, and they shall immediately proceed to organize by electing a president, secretary and treasurer, the last two offices,

namely, secretary and treasurer, to be held by one person if desirable. Said officers shall hold their respective offices until the expiration of the term for which they were appointed upon the board, and at that time the board shall hold a meeting for electing a successor. Said board shall hold a regular meeting for giving examinations under this act on the last Monday in August of each year commencing August, 1914, and such additional meetings for examinations as they may deem necessary. All meetings shall be held at such time and place as the board may see fit, and it shall give due notice thereof at such time and in such manner as it may determine. Said board shall have a common seal, and its president be empowered to issue subpoenas and administer oaths in any matter pertaining to its duties; it shall make and adopt all necessary rules, regulations and by-laws not inconsistent with the laws of this State or of the United States necessary to carry out the provisions of this Act.

§ 3. Said board shall notify all persons practicing veterinary medicine, surgery or dentistry in this Commonwealth of the provisions of this Act by publishing the same in one or more newspapers in this Commonwealth, and every person who is a graduate of a school of veterinary medicine, surgery or dentistry recognized by said board, and also every person who has been a practitioner of veterinary medicine, surgery or dentistry in this Commonwealth for a period of three years next prior to the passage of this Act, shall upon the payment of a fee of ten dollars, be entitled to a license, and said board shall issue to him a certificate thereof signed by its president and secretary and attested by its seal, which certificate he shall have registered, as provided for in Section 7. Registration under the provisions of this section shall cease on the first day of January in the year 1915. All applications for license under this act shall be made upon blanks furnished by the board, and shall be signed and sworn to by the applicant.

§ 4. Any person not entitled to a certificate of license as aforesaid in Section 3, or any person who shall hereafter

wish to practice veterinary medicine, surgery or dentistry in this State, if he gives satisfactory evidence to the board that he is a graduate of some reputable school of veterinary medicine, surgery or dentistry, and that he is twenty-one years of age, shall, upon the payment of a fee of ten dollars and satisfactory proof of good moral character, be entitled to practice veterinary medicine, surgery or dentistry, upon presenting his diploma, which must be one recognized by the Department of Agriculture of the United States, and paying the license fee of ten dollars, or shall be entitled to an examination as hereinafter provided for. If such person passes said examination satisfactorily he shall be entitled to a license and the board shall issue to him a certificate of license signed by its president and secretary, and attested by its seal. Any person who fails to pass a satisfactory examination and is therefore refused a certificate of license, may be re-examined at any meeting of the board within two years of the time of such refusal without additional fee, and thereafter may be examined at any meeting upon the payment of a fee of five dollars for each examination.

§ 5. Examination hereinabove provided for shall be held by the board upon the following subjects: Anatomy, surgery, dentistry, physiology, obstetrics, pathology, bacteriology, diagnosis and practice, therapeutics and materia medica, hygiene, meat and milk inspection. These examinations shall be conducted in writing and in such manner that the results shall be entirely fair and impartial, the applicants being known by numbers, so that no member of the board shall be able to identify the papers of any applicant until they have been graded and the case passed upon, and all questions and answers with the grade attached shall be preserved for one year. All applicants examined at any one time shall have the same questions asked them, and shall be required to make an average grade of 60 with a minimum of 50 in any one branch. No member of the board shall be a stockholder or member of

the faculty or board of trustees of any veterinary college of medicine, surgery or dentistry, leading to degree in same.

§ 6. The board shall keep a record of their proceedings in a book provided for that purpose, which book shall be open for inspection, and shall record the name of each applicant, the time of granting a certificate of license, the name of the members of the board present; and where a certificate of license is denied by the board to any applicant under authority of this act, the fact and ground of such denial shall be entered in the minutes of the board and shall be communicated in writing to such applicant.

§ 7. Every person receiving a certificate of license from the board shall forthwith have it recorded in the office of the county clerk of the county in which he makes his residence, and the date of such recording shall be endorsed thereon; and said certificate of license when so recorded shall not be collaterally questioned in any legal proceedings. Until the certificate of license is recorded, the holder shall not exercise any of the rights or privileges therein conferred; and in case said certificate is not recorded within three months from the date of its issuance it shall become invalid, but the two provisions of this sentence shall not apply to those receiving certificates under Section 3. The clerk shall be paid fifty cents for recording each certificate and making the report thereof, provided for in Section 8. Any registered veterinarian removing his residence from one county in this State to another in order to practice veterinary medicine, surgery or dentistry, shall in like manner record the certificate of license in the county to which he removes, and the holder of the certificate shall pay to the county clerk the usual fee for so doing. Practitioners who have registered in the county in which they reside may go from this county to another on professional business without being required to register.

§ 8. The county court clerk of each county shall keep in a book provided for that purpose a complete list of the certificates of license recorded by him, together with the date of

each and the date of recording. If the certificate of license was issued after examination and not under Section 3, the said county clerk shall further record the name of the veterinary college which conferred the diploma on which the certificate is based, and the date when conferred; and in any case the clerk shall hereafter, beginning with the last Monday in August, 1912, and regularly at the expiration of every six months thereafter report to the secretary of said board a list of all who have registered, for which service the original recording fee shall be adequate compensation.

§ 9. The fees received for examination and issuing certificates of license shall be paid yearly by the board to the Commissioner of Agriculture, Labor and Statistics, to be used for the benefit of the agricultural interests of the State, after deducting the following items:

1. The fees and personal expenses of the board, mentioned in Section 1.

2. The actual expenses of the board incident to providing a meeting place, stationery, etc., issuing certificates, keeping records and otherwise fulfilling the duties imposed by this Act.

3. The additional sum of one hundred dollars to be held by said board as a sinking fund to meet any deficiency that may arise the ensuing year; provided, however, that if at the end of any year there is a balance in said sinking fund, only so much should be held back for such fund as shall increase said balance to one hundred dollars.

Sub-Sec. 4. The secretary of said board shall render an annual statement of said expenses with vouchers attached, to the Commissioner of Agrieulture, Labor and Statistics, who shall have the power to have the books of same examined at any time.

§ 10. It shall be unlawful after the first day of January, 1915, for any person to practice veterinary medicine, surgery or dentistry or any branch thereof in this Commonwealth if

he does not hold a certificate of license issued by said board and registered as required herein.

§ 11. Any person not licensed and registered as provided for in this Act who shall practice veterinary medicine, surgery or dentistry or any branch thereof in this Commonwealth shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars or by imprisonment not exceeding two months, or by both such fine and imprisonment.

§ 12. The grand jury in each county in this State shall be given inquisitorial power over all offenses against, or violations of this Act, and it shall be the duty of the board or any member thereof to report any violations of this act to the proper authorities.

§ 13. The board may refuse to issue the certificate provided for in this Act for any of the following causes:

1. The presentation to the board of any license, certificate, or diploma which was illegally or fraudulently obtained or the practice of fraud, or deception, in passing examination.

2. Habitual drunkenness.

3. Or other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public.

The board may suspend or revoke a certificate for any of the causes for which it may refuse to grant the license under the provisions of this Act.

In all proceedings for suspension or revocation under this Act, the holder of the certificate shall be furnished with a copy of the complaint and shall be given at least thirty days thereafter to prepare for hearing; he shall be heard in person, or by counsel, or both, as he may elect, and in such hearing and in all matters arising in the course of their duties, the president and secretary shall have authority to administer oaths, and in such hearing the board may take oral or written proof for and against the holder of the certificate, as it may deem will best present the facts. In all cases of refusal, suspension or revocation the applicant or holder may appeal to the Governor, who may affirm or overrule the decision of the board.

Upon the suspension or revocation of any certificate it shall be the duty of the board to give official notice of such action under seal to the county clerk of the county in which the holder is registered, and such name shall be marked as suspended for the period indicated, or stricken from the register in accordance with such notice, and if such holder shall continue the practice he shall thereupon be subject to the penalties provided for in this law.

§ 14. Any person shall be regarded as practicing veterinary medicine, surgery or dentistry within the meaning of this act who professes publicly to be a doctor of veterinary medicine, surgeon or dentist, respectively, or who appends to his name any ititials or title implying qualifications to practice or who shall treat, operate on or prescribe for any physical ailment, or any physical injury to, or deformity of, any domestic animal, for which he shall receive any compensation, either directly or indirectly. Nothing in this Act shall apply to persons gratuitously treating animals in cases of emergency; providing they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice thereof. And nothing in this Act shall interfere with or prevent persons in rural districts, or small towns, where the services of a registered veterinarian are not obtainable, from treating, operating upon or prescribing for domestic aniamls and charging for same, but said last-named persons shall not be allowed to thus treat, operate upon or prescribe for any domestic animal until they have first obtained the written consent of said Board of Veterinary Medical Examiners, and said board shall keep a record of those to whom they give such consent.

§ 16. Nothing in this Act shall be construed to interfere with or punish non-graduate veterinarians as provided for in Section 3, or veterinarians in the United States army or in the United States' Bureau of Animal Industry of State Live Stock Commissioner or his assistants or deputies while so commissioned, or any lawfully qualified veterinarian re-

siding in other States or counties meeting registered veterinarians of this State in consulation or any veterinarian residing in the border of a neighboring State, and duly authorized under the laws thereof, to practice veterinary medicine, surgery or dentistry therein, whose practice extends into the limits of this State; provided that such practitioner shall not open any office or appoint a place to meet patients within the limits of Kentucky.

§ 17. This Act shall take effect and be in force in accordance with the provisions of the Constitution, and all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Mr. Walton offered the following amendment to said bill:

"Amend section 9 by striking out 'To the Commissioner of Agriculture, Labor and Statistics, to be used for the benefit of the Agricultural interests of the State' and inserting 'to the Treasurer of the Commonwealth of Kentucky to be covered into the State Treasury.' "

"Also amend by striking out sub-section 4 and inserting in lieu thereof the following:

" 'The Secretary of said Board shall render monthly itemized statements of all salaries and expenses with vouchers thereto attached, to the State Auditor who shall issue his warrant for all lawful items thereon.' "

Said amendment was agreed to.

The Committee on Agriculture offered the following amendment to said bill:

"Amend by adding after word 'compensation' in line 24, Sec. 1, 'All funds not used by said Board shall at the end of each fiscal year be turned over to the State Treasury.' "

"Amend by striking out section 14 and inserting in lieu thereof the following: 'Any person shall be regarded as practicing veterinary medicine, surgery or dentistry within the meaning of this act who professes publicly to be a doctor of veterinary medicine, surgeon or dentist, respectively, or who appends to his name any initials or title implying qualifications to practice or who shall treat operate on or prescribe for any physical ailment, or any physical injury to, or deformity of, any domestic animal, for which he shall receive any compensation, either directly or indirectly. Nothing in this Act shall apply to persons gratuitously treating animals in cases of emergency; providing they do not represent themselves to be veterinarians or use any title or degree appurtaining to the practice thereof. And nothing in this Act shall interfere with or prevent persons in rural districts, or small towns, where the services of a registered veterinarian are not obtainable, from treating, operating upon or prescribing for domestic animals and charging for same. Nothing in this Act shall be construed to prohibit any local citizens from castrating stock."

Said amendment was agreed to.

Mr. Polin offered the following amendment to said bill:

"Amend House Bill 37, section 14, line 8, by striking out all of the remainder of said section after the word 'indirectly,' in said line, and inserting in lieu thereof, 'Nothing in this act shall apply to persons gratuitously treating animals or to persons from treating, operating upon or prescribing for domestic animals and charging for the same; provided they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice thereof."

Said amendment was agreed to.

Mr. Polin offered the following amendment to said bill:

"Amend H. B. 37, Section 10, line 2, by inserting after the word 'dentistry,' the following, 'as a registered veterinarian.' "

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said bill at length being dispensed with.

Said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Wallace Bailey	John F. Fryer	William J. Kuh
James W. Barrall	Frank C. Greene	J. C. Lay
Joseph Boitnott	Elwood Hamilton	Simon B. Lott
Elmer L. Brown	W. L. Hampton	C. R. Luker
A. T. Bryson	V. D. Hammond	Dr.J.N.M'Cormack
Glover H. Cary	H. H. Harrington	Geo. M. McDowell
Benjamin L. Cox	J. B. Harvey	W. T. McNally
George T. Davis	H. H. Hays	John G. Miller, Jr.
John W. Douglas	Dr. S. L. Henry	J. R. Mount
John Drescher	D. H. Hillman	Harry J. Myers
John C. Duffy	R.B.HutchcraftJr.	John E. Newman
William Duffy	J. M. Johnson	C. B. Nichols
M. J. Farris, Jr.	T. R. Jones	S. Mazyck O'Brien
Vert C Fraser	Griffin Kelly	A. W. Palmer
Ed. Frost	John H. Klette	William A. Perry

John A. Polin	L. M. Smith	W. M. Webb
W. A. Price	Adam Spahn	N. B. White
Richard Radcliffe	W. T. Stott	M. O. Wilson
Dr. W. R. Ray	Louis Tieman	Roy S. Wilson
Stanley F. Reed	N. C. Tilford	Douglas G. Wood
S. H. Rogers	M. S. Walton, Jr.	
S. M. Saufley	James T. Webb	—64

Those who voted in the negative were—

Harry Avery	C. M. Gum	A. W. Sharp
Ed. F. Cecil	T. T. Mobley	Ed. D. Stone
H. C. Duffy	J. D. Pumphrey	J. D. Wills
Odie Duncan	W. E. Rogers	—11

Resolved, That the title thereof be as aforesaid.

Mr. Kelly moved that the vote by which said bill was passed be reconsidered and that said vote lie on the table.

Said motion was agreed to.

Mr. Hamilton moved that this House do now take a recess until 2:00 o'clock p. m. today.

Said motion was agreed to.

AFTERNOON SESSION.

At 2 o'clock the House reconvened.

In accordance with a resolution heretofore adopted by this House, to hear the address of the Hon. W. O. Davis on the subject of revenue and taxation, the House went into the Committee of the Whole on the state of the Commonwealth for the purpose of hearing said address.

The Speaker designated Mr. Coke to preside as Chairman of the Committee of the Whole.

After a time the Chairman announced that said Committee had heard the address of the Hon. W. O. Davis, and asked to be discharged.

Whereupon the Speaker resumed the Chair.

The House then took up for consideration the unfinished business from yesterday, to-wit: a bill entitled,

H. B. 45. An Act to revise a part of the revenue laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky, edition of 1909, and subsequent acts amendatory thereof, all relating to revenue and taxation.

Mr. Hamilton moved that said bill be recommitted to the Committee on Revenue and Taxation with leave to report at any time, so that all pending amendments to said bill may be printed.

Said motion was agreed to.

Mr. Hutchcraft moved that House Bill 295 be made a special order.

Said motion was disagreed to.

Mr. Greene moved that the rules be suspended, and that House Bill 275 be made a special order at 11 o'clock a. m. tomorrow, February 13th.

The yeas and nays being required on said motion by Messrs. Greene and Evans, were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	John F. Fryer	C. B. Nichols
Henry C. Blades	Frank C. Greene	William A. Perry
Joseph Boitnott	C. M. Gum	John A. Polin
Elmer L. Brown	E. V. Hall	Dr. T. J. Poteet
Glover H. Cary	Elwood Hamilton	J. D. Pumphrey
Ed. F. Cecil	V. D. Hammond	Richard Radcliffe
J. G. Coke, Jr.	H. H. Harrington	Dr. W. R. Ray
Benjamin L. Cox	H. H. Hays	Stanley F. Reed
George T. Davis	D. H. Hillman	S. H. Rogers
John W. Douglas	J. M. Johnson	W. E. Rogers
John Drescher	John A. Judy	Adam Spahn
H. C. Duffy	John H. Klette	Ed. D. Stone
John C. Duffy	J. C. Lay	W. T. Stott
Odie Duncan	Simon B. Lott	N. C. Tilford
Thomas J. Evans	Geo. M. McDowell	W. M. Webb
Vert C Fraser	J. R. Mount	John F. White
Ed. Frost	Harry J. Myers	J. D. Wills

—51

Those who voted in the negative were—

M. J. Farris, Jr.	T. R. Jones	Lyman J. Parrigin
W. L. Hampton	Griffin Kelly	B. T. Rountree
J. B. Harvey	C. R. Luker	S. M. Saufley
W. E. Henninger	John G. Miller, Jr.	Matt.S.Walton,Jr.
Dr. S. L. Henry	John E. Newman	James T. Webb
R.B.Hutchcraft,Jr.	S. Mazyck O'Brien	

—17

Mr. John C. Duffy moved that House Bill 229 be taken from the orders of the day and placed upon its passage.

Mr. Davis moved to lay said motion on the table.

Said last-named motion was agreed to.

Mr. Davis moved that this House do now adjourn.

Said motion was disagreed to.

The House then took up for consideration the unfinished business from the 10th inst., namely:

The motion of Mr. Hamilton to make House Bill 263 a special order for 11 o'clock A. M. Tuesday, February 17th.

Said motion was agreed to.

Mr. Brown moved that today being the 12th day of February, and the birthday of Abraham Lincoln, that this House do now adjourn out of respect to his memory.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 13, 1914.

The House was opened with prayer by the Rev. F. W. Eberhardt, of the First Baptist Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Evans:

H. B. 500. An Act to prohibit County Boards of Education from employing County Supervisors of schools.

To Committee on Education No. 1.

By Mr. Hutchcraft:

H. B. 501. An Act concerning the trial and punishment of persons indicted for a felony or misdemeanor.

To Committee on State Prisons and Houses of Reform.

By Mr. Hutchcraft:

H. B. 502. An Act authorizing the parole of persons confined in the State Penitentiary, the State Reformatory, the House of Reform and other penal institutions that are now, or may hereafter be under the supervision and control of the Board of Prison Commissioners; and authorizing the appointment of employ agents and a clerk of said board.

By Mr. Tieman:

H. B. 503. An Act to prohibit persons from engaging in the business of aiding and assisting persons to secure marriage license, and aiding and assisting persons in securing officers to perform marriage ceremonies.

To Committee on Judiciary.

By Mr. Nichols:

H. B. 504. An Act to change the name of State University, Lexington, Ky., to University of Kentucky.

To Committee on State Universities and Normal Schools.

By Mr. Nichols:

H. B. 505. An Act to accept the benefits of the Smith-Lever Bill appropriation for agriculture.

To Committee on State Universities and Normal Schools.

By Mr. Hall:

H. B. 506. An Act relating to the pleading of judgment as an estoppel.

To Committee on Judiciary.

By Mr. Tilford:

H. B. 507. An Act regulating telephone companies.

To Committee on Public Utilities.

By Mr. McDyer:

H. B. 508. An Act for the benefit of Mrs. Luch Hanks.

To Committee on Appropriations.

By Mr. Drescher:

H. B. 509. An Act to regulate and publish the collection of special school tax in counties where such tax is collected.

To Committee on Education No. 1.

By Mr. Spahn:

H. B. 510. An Act to amend section 69 of an Act entitled "An Act for the government of cities of the first class," approved July 1, 1893, relating to public ways.

To Committee on Municipalities.

By Mr. McNally:

H. B. 511. An Act relating to children, etc.

To Committee on Juvenile Courts and Children's Homes.

By Mr. McNally:

H. B. 512. An Act relating to suits for divorce in all counties of this Commonwealth containing cities of the first class, providing for the hearing of all testimony in such suits orally by a Master in Chancery and to regulate the procedure in such suits.

To Committee on Juvenile Courts and Children's Homes.

By Mr. Price:

H. B. 513. An Act to amend Sec. 577, Kentucky Statutes, relating to Banks and Banking.

To Committee on Banks and Banking.

By Mr. Douglas:

H. B. 514. An Act to repeal chapter 16 of the Acts of 1910 pertaining to the parole of convicts.

To Committee on State Prisons and Houses of Reform.

By Mr. Polin:

H. B. 515. An Act amending sub-section 8 of section 606 of the Civil Code of Practice, Carroll's Edition.

To Committee on Codes of Practice.

By Mr. Miller:

H. B. 516. An Act to repeal and re-enact sub-section 8 of Sec. 606 of Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Miller:

H. B. 517. An Act amending sub-section 8 of section 606 of Civil Code of Practice.

To Committee on Codes of Practice.

The Speaker laid before the House the following communication:

Franklin, Ky., Feb. 11, 1914.

Hon. Claude B. Terrell, Speaker,
Frankfort, Ky.

Dear Sir:—

I notice in the papers that a bill was introduced in the House yesterday, providing for an extra annual appropriation of $25,000 to the State University, $20,000 to the Eastern Normal School and $15,000 to the Western Normal School. I know nothing further about the provisions of the bill nor the origin of it, but in justice to ourselves we want you and the Members of the House to know that the Western

Normal was included in the bill without the knowledge or consent of Pres. Cherry or the Board of Regents of said school, and it was quite a surprise to learn that some one had been so solicitous concerning our welfare.

The members of the board have stated repeatedly both to state officials and Members of the General Assembly that the Western Normal School would not ask for anything additional during this session, and we don't want to be put in the attitude of acting in bad faith. Our present annual appropriation of $75,000 is ample at present to pay the running expenses of the school, and any additional amount, restricted to this use, would be superfluous. I doubt, however, if there is any State institution that needs financial aid for building and equipment as badly as the Western Normal School, for it has grown so rapidly and gained such proportions that it has been impossible with the means at our command to make suitable provisions for the accommodation, to say nothing of the comfort of so large a number, and we are now maintaining a school of nearly two thousand students with wholly inadequate room and equipment. We have no heating plant, only a little boxed-up shed on the side of the hill, no dormitory or boarding department on "Normal Heights," no buildings for manual training and physical culture, no model rural school and many other things too numerous to mention in this letter, but knowing the condition of the State treasury at this time, we determined not to lay our needs before this General Assembly but to get along as best we could, under our cramped conditions, until such time in the future as the State might feel able to supply our needs. We have full faith that the Commonwealth of Kentucky will amply provide for all of her deserving institutions as soon as the condition of her treasury will permit.

I ask that you read this letter to the House and turn it over to the committee to which this bill was referred, and when it comes up for consideration in the committee, we ask

that the clause pertaining to the Western Normal School be stricken out.

I feel that it is highly commendable to offer any measure for the promotion of education in the State, and we all thoroughly appreciate the spirit that prompted this effort in our behalf, but as stated above, deem it inexpedient at this time.

Yours most truly,
(Signed) M. J. Gooch,
Vice Pres. Board of Regents and
Chairman Legislative Committee.

Said communication was ordered to be referred to the Committee on State Universities and Normal Schools

A petition was presented by Mr. Kleete, signed by sundry citizens of Kenton County, urging the House of Representatives to enact a law prohibiting the manufacture, sale, keeping for sale or giving away, cigarettes, in Kentucky.

Said petition was received, read and referred to the Committee on Public Health.

Mr. John F. White presented a petition signed by sundry citizens of Madison County, urging the defeat of Senate Bill 109.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Blades presented a petition signed by sundry citizens of Bracken County, petitioning the submission of a constitutional amendment providing for State-wide prohibition.

Said petition was received, read and ordered referred to the Committee on Constitutional Amendments.

Mr. W. M. Webb presented a petition signed by sundry citizens of Johnson County, petitioning the submission of the Constitutional amendment calling for State-wide prohibition in Kentucky.

Said petition was received, read and referred to the Committee on Constitutional Amendments.

Mr. Cary presented a petition signed by sundry citizens of McLean County, petitioning the General Assembly to enact Senate Bill 109.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Henninger presented a petition signed by sundry citizens of Breckinridge County, protesting against the passage of S. B. 109.

Said petition was received, read and referred to the Committee on Insurance, Fire and Marine.

Mr. Luker presented a petition signed by sundry citizens of Laurel County, urging the Legislature to adopt the State-wide prohibition amendment.

Said petition was received, read and referred to the Committee on Constitutional Amendments.

The hour of 11:00 o'clock having arrived, the Special Order for that hour was taken up for consideration, viz.:

A bill entitled,

H. B. 275. An Act to amend sections 1, 2, 4, 5, 6 and 13 of chapter 5, of the Acts of 1912, entitled, "An Act relating to

Fire, Lightning, Hail, Windstorm and Sprinkler Leakage insurance, and to regulate and control the rates of premiums thereon, and creating a State Insurance Board and defining the powers and duties of said board," and to further amend said Act by enacting sub-division 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board certain data in their possession affecting insurance risks and rates thereon and fixing a penalty for its violation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of An Act entitled "An Act Relating to Fire, Lightning, Hail, Windstorm and Sprinkler Leakage Insurance, and to Regulate and Control the Rates of Premium Thereon and Creating a State Insurance Board and Defining the Powers and Duties of said Board," being Chapter 5 of the Acts of 1912, approved March 4, 1912, be, and the same is hereby amended by striking out immediately after the word "and" in the thirty-third line of said section the following words: "To employ such additional clerks or agents as may be necessary to carry out the provisions of this Act, subject, however, to the limitations contained in this Act as to the amount authorized to be expended by said Board," and by inserting in lieu thereof the following words: "The said State Insurance Board shall, with the approval of the Auditor of Public Accounts, employ clerical help, experts, inspectors, and such other assistants, and may incur such other expenses, as may be necessary in carrying out the provisions of this Act not to exceed the sum provided for herein," and by inserting immediately after the word "determines" in the fifty-first line of said section the following words: "Provided further that the said Board may, in its discretion, establish and maintain

branch offices in other cities or towns in this State," so that said Section when amended, will read:

Section 1. There is hereby created a Board, to be known as the State Insurance Board, which shall be composed of the Insurance Commissioner of the State of Kentucky, who, in addition to his duties now imposed by law, shall act as Secretary thereof, and two other members who shall be citizens of this State, and be at least twenty-five years of age, to be appointed by the Auditor of Public Accounts, one of whom shall be Chairman of the Board. The Auditor of Public Accounts shall appoint two members immediately after this Act takes effect and the appointment so made shall be for a term of four years. The Board so constituted shall exercise all of the powers and duties and be charged with all the responsibilities embraced in this Act and shall have the power to decide all questions required, authorized or permitted to be passed upon by this Act, or incidental to the powers herein conferred. The members of said Board, other than the Insurance Commissioner of the State of Kentucky, shall each receive a salary of three thousand dollars per annum. The Insurance Commissioner of the State of Kentucky shall receive six hundred dollars per annum in addition to the compensation now received by him, for the duties imposed by this Act. Said Board in all legal matters shall be represented by the Attorney General except when it is impracticable for the Attorney General to represent said Board in which event the Attorney General is hereby empowered to employ an attorney to represent said Board, but the compensation of such attorney shall not exceed three thousand dollars in any one year, to be paid as herein provided, and "the said State Insurance Board shall, with the approval of the Auditor of Public Accounts, employ clerical help, experts, inspectors, and such other assistants, and may incur such other expenses, as may be necessary in carrying out the provisions of this Act not to exceed the sum provided for herein." The salaries of the members of the said Board and of the attorney for said Board, shall be paid monthly out

of the Treasury of the Commonwealth, out of the insurance fund, and other expenses of the Board shall also be paid out of said fund and all payments shall be by warrant of the Auditor upon vouchers signed by the Chairman and countersigned by the Secretary of said Board. The office of said Board is fixed in the same office as that of the Insurance Commissioner of the State of Kentucky, and all of the regular meetings of the Board shall be held and all of the records kept in such office; Provided, That the Board may hold special meetings at other places in the State if it so determines. "Provided further, That the said Board may, in its discretion, establish and maintain branch offices in other cities or towns in this State." The office of said Board and of the Insurance Commissioner of the State of Kentucky shall always be kept together and the clerical force of said Board and said Insurance Commissioner shall be jointly employed and their services used for the work of both said offices.

§ 2. That Section Two of the said Act, be, and the same is hereby, amended by inserting immediately after the word "formed" in line fifty-one of said Section the following words: "By the application of the schedules adopted by said Board," and by striking out of said Section immediately after the word "written" at the end of line fifty-two thereof the following words: "After the publicatiin of a general basis of schedule, in the manner hereinafter provided, it shall be used by each insurance company regulated by this Act for the formation of specific rates on all risks if the class to which the schedule applies. The rate obtained by faithful application of the appropriate general basis schedule published by the said Board, shall be the lawful rate in this State. It shall be unlawful to use any other rate, except that obtained by uniform deviation from published schedule rates in the manner hereinafter provided," and by striking out immediately after the word "Act" in the ninety-fourth line thereof the following words: "It shall be the duty of each insurance company governed by this Act, individually, or through some agency for

the purpose, to apply each general basis schedule immediately after publication. The specific rates found by the schedule shall be filed with the Secretary of the said Board as soon as found. The said Board in publishing each general basis schedule shall set a date at which the filing of all specific rates under the schedule shall be completed, but such date may be extended for cause by the said Board," and inserting in lieu thereof the following words: "After publication of any publication of any general basis schedule or schedules made or modified in the manner herein provided it shall be the duty of the Board to apply each of said schedules to all risks of the class to which it is applicable. The maximum rate of premium that may be charged by any company writing the character of insurance governed by this Act shall be exclusively fixed, determined and promulgated by the State Insurance Board and no company shall charge a greater premium upon any policy of insurance than that produced by the application of the rate fixed, determined and promulgated by said Board. The Board shall publish and furnish to each company authorized to do business in this State and doing a business of insurance against loss or damage by fire, lightning, hail, windstorm or sprinkler leakage at least two copies each of all general basis schedules and specific rates made by said Board by the application of said schedule or schedules," and by inserting immediately after the word "schedule" in the one hundred and eighth line of said Section the following words: "From and after the date of its publication the Board may in its discretion adopt and promulgate a flat rate for all dwelling risks located in this State, or for a particular class of dwellings therein, or for a specified class of dwellings in any city or town of said State," and by inserting immediately after the word "orders" in the one hundred and sixteenth line of said Section the following words: "Of any general basis schedule or schedules," and by enacting sub-section 2a, so that the same when amended and enacted, will read as follows:

Section 2. Every Insurance Company licensed to do business in this State, and, doing, at the time this Act shall take effect, a business of insurance against loss or damage by fire, lightning, hail, windstorm and sprinkler leakage, shall within thirty days thereafter file with the Secretary of the said Board.

"A. Two copies of every general basis schedule now being applied in this State, showing all charges and credits, terms, privileges, riders and conditions, which in any wise affect rates, or the cost of insurance on property located in this State. B. Two copies of every book of published specific estimates or rates with inserts showing revisions and additions to date; two copies of every printed rate card where the rate card system is in use; and two copies of a statement showing every specific rate not given in a book of estimates of rates, or not given in a set of printed rate cards."

The grade of each town or municipality shall be shown in connection with such information, together with two copies of the inspection report upon which each town has been graded; the basis tables of the Analytic System that are in use in various localities shall be stated. In each case where the rate has not been formed by the application of a general basis schedule, the facts shall be noted. The information shall show also the general type of construction and occupancy of each risk, and if it is protected by automatic sprinklers the fact shall be noted. Provided, That all companies that use the same general basis schedules and specific rates may authorize some agent to file the two sets of required information in common for all. Any company thus represented that deviates in any manner or particular form the information filed in common shall file in addition thereto a full statement of the plan of deviation which it follows. It shall be the duty of said Board to consider the information thus filed, with reference to the reasonableness of the general basis schedule, charges and credits, terms, privileges, riders and conditions, which in any wise affect rates or the cost of insurance, and with reference

to the reasonableness of the specific rates and grading of towns, and selection of basis tables. And said Board shall make such alteration, change, rejection and substitution as will enable it to publish reasonable general basis schedules, showing all charges and credits, terms, privileges, riders and conditions which in any way affect rates or the cost of insurance, so that a reasonable rate may be formed by the application of the schedule adopted by it for every risk in this State upon which insurance of the kind regulated by this Act is written. It shall be the duty of the said Board to act upon as full information as possible in the preparation of a general basis schedule, and the said Board is hereby empowered, to call for and obtain from the Insurance Companies regulated by this Act, any and all information that it deems useful. When the said Board is ready to publish a general basis schedule, it shall notify all insurance companies and other interests concerned, by mail and such insurance companies and other interests shall examine the provisions of the said schedule. If objections are found, the objectors may file the objections in writing with the Secretary of the said Board within thirty days from the date of notification or may apply for a hearing upon the objections within the thirty days. If no objection is raised, the schedule shall be published at the end of thirty days from the date of notification and shall take effect immediately. If objections are raised or a hearing asked, the said Board shall take action thereafter upon the objections and requests presented. Such action by the said Board shall be duly reported to all parties interested by mail and the schedule as affected by such action by the Board shall be published within fifteen days after such notification unless some interested party shall appeal to a court having jurisdiction as hereinafter provided. Any interested party shall upon request be placed upon the mailing list of the said Board and shall thereafter receive due notification of all actions taken by the said Board that affect rates or the cost of insurance regulated by this Act. After publication of any general basis schedule or schedules made

or modified in the manner herein provided it shall be the duty of the Board to apply each of said schedules to all risks of the class to which it is applicable. The maximum rate of premium that may be charged by any company writing the charter of insurance governed by this Act shall be exclusively fixed, determined and promulgated by the State Insurance Board, and no company shall charge a greater premium upon any policy of insurance than that produced by the application of the rate fixed, determined and promulgated by said Board. The Board shall publish and furnish to each company authorized to do business in this State and doing a business of insurance against loss or damage by fire, lightning, hail, windstorm, or sprinkler leakage at least two copies each of all general basis schedule and specific rates made by said Board by the application of said schedule or schedules. All insurance governed by a general basis schedule and written after the date of publication shall be entitled to the rate established by the schedule. From and after the date of its publication the Board may in its discretion adopt and promulgate a flat rate for all dwelling risks located in this State, or for a particular class of dwelling therein, or for a specified class of dwellings in any city or town of said State. During the interim prior to the publication of a general basis schedule for a given class of risks, the existing specific rates may be used and the existing general basis schedule may be applied to new risks and to new conditions in old risks, and the said Board shall make such temporoary orders modifying existing specific rates or existing general basis schedules as the situation may demand. Such modifying orders of any general basis schedule or schedules shall be subject to the same course of procedure as prescribed for the publication of a general basis schedule. It shall be the duty of the said Board to provide for a system of adequate reports, from insurance companies, their employees and agents or from property owners, and in such manner as the Board may deem proper, for the purpose of showing the relation of losses to hazards in risks and rates

of loss for normal and subnormal risks. Such facts shall be given suitable publicity by the said Board and shall be kept accountable to the representatives of any interest that may wish to know the facts in order to plan the removal of hazards or in order to justify a request for a modification in a general basis schedule or a specific rate filed with the said Board.

§ 2a. The said Board is hereby authorized and empowered to require all insurance companies governed by the provisions of this Act and transacting business in this State to furnish said Board with any and all data which they may have in their possession, either jointly or severally, including maps, tariffs, inspection reports, surveys, rate slips and all other information affecting rates charged or to be charged for insurance upon property in this State. Said Board is further authorized and empowered to require any company or any joint agent or representative of any or all the companies to turn over any or all such data in their possession to said Board for its use in making and adopting schedules and fixing specific rates as provided herein. Any Company, Agent or Representative of any company or companies refusing to comply with the provisions of this Section shall be subject to a fine in any sum not exceeding one thousand dollars.

§ 3. That Section Four of the said Act be, and the same is hereby, amended by striking out of the said Section, immediately after the word "by" in the eighth line of said Section the following words: "Any insurance company" and inserting in lieu thereof the following words: "The Board," and by striking out from said Section the following: "Such altered rate shall be filed immediately with the Secretary of the said Board. The said Board shall prescribe rules for the keeping of proper records by all companies, bureaus and boards dealing with the application of published schedules so that the accuracy of the application in any individual case can be ascertained at any time by the said Board. For the purpose of this act such bureaus and Boards shall be considered to be agencies of their subscribers in the business handled. Any insurance

company may pursue a plan of uniformity reducing all specific rates found for a class of risks by a general basis schedule. In such case the Insurance Company shall file notice of the intention to so reduce rates, showing the extent of the reduction," so that said Section when amended will read as follows:

Section 4. The said Board may at any time alter a published general schedule, but shall observe the procedure prescribed for the publication of a general basis schedule. The said Board also may at any time and in like manner recall a published general basis schedule and publish an entirely different basis schedule in place of the one recalled. Any specific rate may be changed by the Board when a survey discloses conditions which necessitate an altered rate through the application of the appropriate published general schedule.

§ 4. That Section Five of the said Act be, and the same is hereby, amended by striking out of said Section immediately after the word "rate" in the seventh line of said Section the words "different from" and inserting in lieu thereof the words "higher than," and by striking out immediately after the word "hereof" at the end of line eight of said Section, the following words: "Or refund or remit in any manner or by any device any portion of the rates so established, or extend to any insured, or other person any special credit, privileges, advantages, favor, inducement, or concession," so that said Section when so amended will read as follows:

Section 5. No insurance company coming under the provisions of this Act shall engage or participate in the insurance of any property located in this State, until it has complied with the provisions of Section Two and Section Three of this Act, and no company, officer, agent or representative of any company shall write insurance at a rate higher than the rate fixed in accordance with the provisions of Section Two hereof.

§ 5. That Section Six of the said Act be amended by inserting immediately after the word "copy" in the fifth line

thereof, the following words: "Of all general basis schedules and," and by striking out immediately after the word "locality" at the end of the fifth line of said Section the following words: "Whenever a risk is first rated, or rerated, the local agent writing the insurance thereon shall furnish to the property owner a form showing all details in the formation of the rate," and inserting in lieu thereof the words: "The Board shall upon written request of any Insurance Company authorized to do business of the kind governed by this Act, or any property owner, furnish a form showing all details in the formation of any rate," so that said Section when amended will read as follows:

Section 6. All general schedules which are in force in accordance with the provisions of this Act shall be open to the inspection of the public and each local agent shall have and exhibit to the public a copy of all general schedules and of the specific rates published for his locality. The Board shall upon written request of any insurance company authorized to do business of the kind governed by this Act, or of any property owner, furnish a form showing all details in the formation of any rate.

§ 6. That Section 13 of the said Act be amended by striking out of the third and fourth lines thereof the words "the sum of twenty-five thousand dollars" and inserting in lieu thereof the following words: "A sum equal to two per cent of the aggregate amount of gross premiums collected during the preceding year for insurance against fire, lightning, hail, windstorm and sprinkler leakage by insurance companies coming under the provisions of this Act and doing business in this State during the preceding year," and by striking out of said section the words "the proportion of said twenty-five thousand dollars, which the gross premiums collected by said company during such year from persons or upon property located in this State bears to the aggregate amount of gross premiums so collected during such year by all insurance companies affected by this Act transacting

business in this State," and inserting in lieu thereof the words: "A sum equal to two per cent of the gross amount of premiums collected by said Company during such year from persons or upon property located in this State for insurance against fire, lightning, hail, windstorm and sprinkler leakage," and by inserting immediately after the word "policies" in line twenty-one thereof the following words: "Each Insurance Company coming under the provisions of this Act shall pay the amount to be collected from it, as provided for herein, not later than thirty days after demand for same has been made by the Insurance Commissioner for the year 1914, and on or before the first day of March for each succeeding year thereafter," and by striking out immediately after the word "than" in the twenty-eighth line of said section the words "twenty-five thousand dollars" and inserting in lieu thereof the words "the aggregate amount collected for said purpose" and by adding immediately after the word "year" at the end of said Section the following words: "In proportion to the amount so paid," so that the said Section when so amended, will read:

Section 13.—The total amount which said Board shall be authorized to expend in one year, for all purposes, shall not exceed a sum equal to two per cent of the aggregate amount of gross premiums collected during the preceding year for insurance against fire, lightning, hail, windstorm and sprinkler leakage by insurance companies coming under the provisions of this Act and doing business in this State during the preceding year. It shall be the duty of the Insurance Commissioner of the State of Kentucky, to, in addition to the amounts now authorized to be collected by him and paid into the State Treasury, collect from each Insurance Company coming under the provisions of this Act and doing business in this State during the preceding calendar year, or any portion thereof, a sum equal to two per cent of the gross amount of premiums collected by said Company during such year from persons or upon property located in this State for insurance against fire,

lightning, hail, windstorm and sprinkler leakage, provided that in computing such gross premium receipts there shall be deducted therefrom the amount paid out of re-insurance and for return premiums on canceled policies. Each Insurance Company coming under the provisions of this Act shall pay the amount to be collected from it, as provided for herein, not later than thirty days after demand for same has been made by the Insurance Commissioner for the year 1914, and on or before the first day of March for each succeeding year thereafter. All moneys so collected by the Insurance Commissioner shall be paid into the State Treasury to the credit of the Insurance Department, for the purpose of paying the expenditures authorized by this Act. If at the end of any year, it shall be found that the aggregate amount expended in carrying out the provisions of this act during such year has been less than the aggregate amount collected for said purpose, the amount remaining unexpended shall be applied to the reduction of the amount to be collected from said companies for the ensuing year in proportion to the amount so paid.

§ 7. Whereas, it is considered that this Act will enable the State Insurance Board to regulate and readjust the rates charged for insurance governed by this Act, and inasmuch as such regulation and readjustment is of the greatest importance to owners of property located within this State, an emergency is hereby declared to exist and this Act shall take effect from and after its passage.

Mr. Harry J. Myers moved that this House do now resolve itself into the Committee of the Whole House on the State of the Commonwealth for the purpose of hearing the Hon. Ruby Lafoon, President of the Insurance Rating Board of Kentucky, discuss insurance and insurance rates, pertaining to said bill.

Said motion was agreed to.

The Speaker designated Mr. Reed to preside as Chairman of said Committee.

The Speaker appointed Messrs. Harry J. Myers and Frank C. Greene a Committee to escort Mr. Lafoon to the Clerk's desk.

After a time Mr. Douglas moved that the Committee do now arise.

Said motion was agreed to.

Mr. Reed, Chairman of the Committee of the Whole, reported that said Committee had heard the discussion relative to said bill and asked to be discharged.

Mr. Speaker Terrell resumed the Chair.

Mr. Myers moved that the session of today be indefinitely extended, until the matter under consideration is deposed of.

Said motion was agreed to.

Mr. Myers offered the following amendment to said bill, viz.:

Amend by striking out section 7.

Said amendment was agreed to.

Mr. Hutchcraft offered the following amendment to said bill, viz.:

Amend by adding the following section:

"Section 8. This act is intended to stand as a whole and in the event that any part thereof is held unconstitutional, then no part thereof shall be effective, but chapter 5 of the Acts of 1912 shall remain in force unamended."

Said amendment was disagreed to.

Mr. Hutchcraft offered the following amendment to said bill, viz.:

Amendment to House Bill 275 by way of substitute therefor.

An Act to amend Chapter 5 of the Acts of 1912, by increasing the penalties for violation thereof.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 9 of Chapter 5 of the Acts of 1912 be and the same is hereby amended by striking out the words "three hundred dollars" wherever they occur in said section and substituting therefor in each instance the words "ten thousand dollars" so that said section as amended and re-enacted shall read as follows:

"Any insurance company coming under the provisions of this Act, or any director or officer thereof, or any agent or person acting for or employed by any such company, who alone, or in conjunction with any corporation, company or person, shall wilfully do or cause to be done, or shall wilfully suffer or permit to be done, any act, matter or thing prohibited or declared to be unlawful by this act, or who shall wilfully omit or fail to do any act, matter or thing required to be done by this Act, or shall cause or wilfully suffer or permit any act, matter or thing, described by this Act, not to be done, or shall be guilty of any wilful infraction of this Act, shall be deemed guilty of a misdemeanor and shall, upon con-

viction thereof, in a court of competent jurisdiction, be punished by a fine of not less than one hundred dollars and not more than ten thousand dollars for each offense; provided, that if the offense for which any person shall be convicted, as aforesaid, shall be an unlawful discrimination, such person shall be punished by a fine of not more than ten thousand dollars and not less than one hundred dollars, or by imprisonment in the county jail for a term of not less than thirty days and not more than ninety days, or by both such fine and imprisonment. It shall be the duty of the said board to inform the Attorney General and the Commonwealth's Attorney of the district wherein the offense has been committed of any violation of this act. It shall be the duty of the Attorney of the said board to prepare all of the evidence for the prosecution of persons violating this Act, and he shall appear in person at all trials to assist the Commonwealth's Attorney in conducting the prosecution."

Said substitute amendment was disagreed to.

Mr. Saufley offered the following amendment to said bill, viz.:

Amend section 1, line 49, by inserting after the word "herein" the words:

"Provided, however, that no member of the General Assembly of the session of 1914 shall be eligible for appointment to, or shall hold any salaried position or any position, the compensation of which is paid by fees or otherwise, under the State Insurance Board, within a period of three years from and after the passage of this Act."

Said Amendment was disagreed to.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend H. B. No. 275 by adding after the word "age" in Section 1, line 26, the words "only one of whom shall be of the same political party as the Auditor who makes the appointment."

Said amendment was disagreed to.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend House Bill No. 175, by adding at the end of Section 6 thereof, the following words:

"Not more than 55% of the agents, clerks and employes provided for herein shall belong to the same political party; nor shall the clerks, agents or employes provided for herein and drawing more than 55% of the total salaries provided for all employes and agents, under the State Board of Insurance Commissioners belong to the same political party."

Said amendment was disagreed to.

Mr. Barrett offered the following amendment to said bill, viz.:

Amend by adding as section 8,

That any member of this Legislature who shall directly or indirectly seek to have or who does have any persons appointed an employee of the State Insurance Board shall be deemed guilty of a misdemeanor and fined upon conviction not less than $50.00 nor more than $1,000.00 and the person so employed removed from service.

Said amendment was disagreed to.

Mr. Barrett offered the following amendment to said bill, viz.:

Amend by adding section 7.

That not more than $25,000.00 shall be used by the State Insurance Board in any one year for employees.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

Mr. Walton moved that when this House adjourn, today, it be to meet Monday, February 16, 1914, at 1:00 o'clock, p. m.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Odie Duncan	J. M. Johnson
Harry Avery	Thomas J. Evans	John A. Judy
Jas. W. Barrall	Vert C Fraser	John H. Klette
Henry C. Blades	Ed. Frost	William J. Kuh
Joseph Boitnott	John F. Fryer	J. C. Lay
Glover H. Cary	Frank C. Greene	Simon B. Lott
Ed. F. Cecil	C. M. Gum	C. R. Luker
J. G. Coke, Jr.	Elwood Hamilton	Dr.J.N.M'Cormack
Benjamin L. Cox	V. D. Hammond	Geo. M. McDowell
John W. Douglas	H. H. Hays	T. T. Mobley
H. C. Duffy	Dr. S. L. Henry	J. R. Mount
John C. Duffy	D. H. Hillman	Harry J. Myers

A. W. Palmer	S. H. Rogers	N. C. Tilford
Dr. T. J. Poteet	W. E. Rogers	James T. Webb
J. D. Pumphrey	W. A. Shawler	J. D. Wills
Richard Radcliffe	Adam Spahn	Roy S. Wilson
Dr. W. R. Ray	W. T. Stott	
Stanley F. Reed	Louis Tieman	—52

Those who voted in the negative were—

Geo. B. Barrett	T. R. Jones	B. T. Rountree
Elmer L. Brown	Griffin Kelly	S. M. Saufley
A. T. Bryson	John G. Miller, Jr.	A. W. Sharp
William Duffy	John E. Newman	L. M. Smith
M. J. Farris, Jr.	S. Mazyck O'Brien	Ed. D. Stone
W. L. Hampton	Lyman J. Parrigin	John F. White
J. B. Harvey	Lilburn Phelps	N. B. White
W. E. Henninger	John A. Polin	
R. B. Hutchcraft Jr.	W. A. Price	—25

Resolved, That the title thereof be as aforesaid.

Messrs. Walton and Nichols asked the unanimous consent of the House to be excused from voting on said bill.

The House excused Messrs. Walton and Nichols from voting.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

And then the House adjourned.

MONDAY, FEBRUARY 16, 1914.

The House was opened with prayer by the Rev. J. R. Zeigler, of the Presbyterian Church, of the city of Frankfort.

The reading of the journal of yesterday's proceedings was dispensed with.

Mr. Walton moved that the calling of counties and districts for the introduction of bills be dispensed with, and that all members who have bills to introduce, send same to the Clerk's desk.

Said motion was agreed to.

The following introduced bills:

By Mr. McDyer:

H. B. 518. An Act to amend and re-enact Section 1319 of the Kentucky Statutes, Carroll's Edition 1909.

To Committee on Kentucky Statutes.

By Mr. Saufley:

H. B. 519. An Act to amend Section 4072, Kentucky Statutes, and being the Act of March 15, 1906, relating to Revenue and Taxation.

To Committee on Revenue and Taxation.

By Mr. Hamilton:

H. B. 520. An Act to amend Section 2119, Kentucky Statutes, 1909 edition, page 940.

To Committee on Judiciary.

By Mr. Brown:

H. B. 521. An Act creating a State Board for the examination and licensing of engineers in charge of and operating steam boilers and steam generating apparatus, specifying the duties and fixing the salaries to be paid the members of said State Board and fixing penalties therefor.

To Committee on Commerce and Manufacturing.

By Mr. Douglas:

H. B. 522. An Act to authorize the judges of the Circuit Courts of Kentucky to try and decide cases in vacation and for other purposes.

To Committee on Circuit Courts.

By Mr. Walton:

H. B. 523. An Act to amend an Act entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said acts and amendments now appear as Art. 3, Chap. 89, Kentucky Statutes, in the 1909 Carrol Edition thereof.

To Committee on Municipalities.

By Mr. Walton:

H. B. 524. An Act for the election of Alumni Members to the Board of Trustees of the State University, Lexington, Kentucky, and for the appointment of such Alumni Members on the Executive Committee of the University.

To Committee on State University and Normal Schools.

By Mr. Duffy:

H. B. 525. An Act to license stationary engineers.

To Committee on Commerce and Manufacturing.

By Mr. Klette:

H. B. 526. An Act to repeal an Act entitled "An Act to incorporate the South Covington & Cincinnati Street Railway Company."

To Committee on Interurban and City Railways.

By Mr. Myers:

H. B. 527. An Act to amend and re-enact Sec. 3105 of Carroll's Statutes of Kentucky, relating to the construction of sewers and the collection of the tax therefor by the city treasurer in cities of the second class.

To Committee on Municipalities.

Mr. Hamilton offered the following joint resolution, viz.:

H. Res. 21. Resolution inviting Hon. Dorsey W. Shackelford to address joint session of House and Senate, Monday, February 16, 1914, at 4:00 p. m.

Mr. Hamilton moved that the rules be suspended and said resolution adopted.

Said motion was agreed to.

The above mentioned resolution reads as follows:

Whereas, the Honorable Dorsey W. Shackelford, a member of Congress from the State of Missouri, and Chairman of the Committee on Roads in the National House of Representatives, and author of House Bill No. 11686, providing for national aid to the building of roads, is now in Kentucky; therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That, the Honorable Dorsey W. Shackelford, a member of Congress of the State of Missouri, be invited to address a joint session of this General Assembly, upon road legislation, at 4:00 o'clock, p. m., Monday, February 16, 1914.

Said resolution was adopted.

Mr. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. W. M. Webb offered the following joint resolution, viz.:

H. Res. 22. Resolution, requesting the action of the Member of Congress from Kentucky in favor of a Bill, pensioning indigent Malitia Soldiers who served in the Civil War, and providing pensions for their widows, minor children, and dependent parents.

Whereas: There is now a bill pending before the Congress of the United States, entitled, A bill to extend the pension Act of May eleventh, nineteen hundred and twelve, to the officers and enlisted men of all State Malitia and other State Organizations that rendered services to the Union Cause during the Civil War for a period of ninety days or more, providing pensions for their widows, minor children and dependent parents, and for other purposes, and

Whereas: This act applies to many Kentucky Malitiamen, who were never mustered into the regular United States Army, but who rendered valuable services to the Union cause under the command of United States Officers, many of them engaging in battle along with them, and yet they are "left out in the cold," although many of their neighbors who served on the other side are drawing pensions from the State in which they now live. Many of these militiamen are now totally disabled from earning a support from their labor and have no adequate means of support; therefore, be it

Resolved that we, the General Assembly of the Commonwealth of Kentucky, Call upon the Kentucky Representatives in the Congress of the United States, and our United States Senators W. O. Bradley and Ollie M. James to do all in their power to secure the passage of said bill.

Said resolution lies on the Clerk's desk.

Mr. John C. Duffy offered the following joint resolution, viz.:

H. Res. 23. A resolution requesting Congress of the United States and the Department of Justice of the United States to investigate conspiracies and combinations to maintain rates by insurance companies resisting regulation of rates in this State.

Whereas, Insurance against loss by fire is a public neces-

sity in the business affairs of the people of this State, and,

Whereas, such insurance is provided largely by insurance companies or corporations doing an interstate business, and,

Whereas, the said insurance companies have formed conspiracies and combinations for the purpose of eliminating competition and for the purpose of fixing and maintaining rates in this State, and have by reason of said conspiracies and combinations fixed and maintained extortionate and unreasonable rates, and,

Whereas, the said conspiracies and combinations cannot be prosecuted under the laws of this State, and,

Whereas, the said insurance companies have heretofore resisted regulation of rates by this State, and are now opposing and resisting all reasonable attempts at regulation under the laws of this State, and are threatening to withdraw from doing business in this State in the event the General Assembly shall pass laws for the reasonable regulation of insurance rates in this State, and,

Whereas, such withdrawal would result in great disturbance of business conditions in this State; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

First: That the Congress of the United States and the Department of Justice of the United States, be and they are hereby requested to investigate the said conspiracies and combinations to maintain rates, and in the event the said insurance companies further resist reasonable regulation of rates in this State, or withdraw from doing business in this State in the event laws are passed by this General Assembly for the reasonable regulation of insurance rates in this State, that the Congress of the United States and the Department of Justice of the United States be, and they are hereby requested to take such action as may be necessary to protect the interests of the people of this State and of other States, either by including such conspiracies and combinations within the anti-

trust law now pending in Congress, or place the said insurance rates under reasonable regulation and control by act of Congress.

Second: That a copy of these resolutions, when approved by the Governor of this Commonwealth, be forwarded to each member of Congress from Kentucky, and to the Attorney General of the United States.

Ordered that said resolution lie on the Clerk's desk.

Mr. Walton offered the following joint resolution, viz.:

H. Res. 24. Resolution providing for the appointment of a commission for the preparation of the Public Utility Bill for action by the next General Assembly.

Whereas, it is deemed necessary and expedient that there be a State law for the government and regulation of public utilities of all kinds operating in this Commonwealth, and,

Whereas, the effect of such law is very far reaching and that it does not only apply to all public utilities in the State, but also most of the citizens who are customers and users of products of the public utilities;

And, whereas, the drafting of such a law requires a great amount of work, study and care, together with considerable research and examination of laws of other States and the practical workings of the same; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That a commission of three be appointed, one of whom shall be selected by the President of the Senate, one by the Speaker of the House and a third by the said President and Speaker, jointly, which committee shall report back to the next General Assembly, sitting in 1916, and prepare a bill for an act regulating all public utilities throughout the State. Said Commissioners shall serve without compensation and shall receive only their necessary expenses in the perform-

ance of the services herein, for which they will present an itemized statement and the Auditor of the Commonwealth will issue his warrant therefor, which shall be paid by the Treasurer out of the moneys in the general fund not otherwise expended. Said Commission shall further be directed to hold public hearings after due notice, at which time representatives of any or all public utilities throughout the State, or any other person, may be heard upon the provisions of the proposed law.

Ordered that said resolution lie on the Clerk's desk.

Mr. Radcliffe called from the Clerk's desk, and moved the adoption of a resolution entitled,

H. Res. 20. Resolution petitioning Congress to enact a law permitting the growers of tobacco to twist the tobacco of their own raising and sell same free of any tax or license.

Whereas, the State of Kentucky is a great agricultural State, and

Whereas, one of the chief industries is the growing and marketing of tobacco, and

Whereas, this product of the soil gives more labor to more people and puts into circulation more money than any other product grown in the State, and

Whereas, when said tobacco is placed upon the market the producer finds himself in the grasp of the American Tobacco Company, with little chance of securing reasonable prices for the fruits of his labor; now, therefore,

Be it resolved, That the members of this General Assembly do petition the National House of Representatives and the Senate, and especially the members of the House and Senate from this grand old Commonwealth, to use all honorable means to have a law enacted whereby the growers of tobacco will be permitted to twist the tobacco of their own raising and

sell same free of any tax or license, thereby opening up a new market to the producer for the products grown by him.

Said resolution was adopted.

The Speaker laid before the House the following communication:

Mrs. P. Spahn and family gratefully acknowledge, with deepest appreciation, your kind remembrance and sympathy.

Mr. McCormack moved that a bill entitled H. B. 295, An Act to provide for the uniform accounting and inspecting of the public offices of this Commonwealth, be taken from the orders of the day and recommitted to the Committee on Revenue and Taxation with leave to report at any time.

Said motion was agreed to.

A message was received from the Senate, announcing that they had adopted the following resolutions:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the Official Publication of this General Assembly and to purchase copies of same for the members of the General Assembly and certain officials.

S. Res. 16. Resolution for weather bureau at Lexington, Kentucky.

S. Res. 17. Resolution to move the bust of Abraham Lincoln to Library at Louisville.

S. Res. 19. Resolution on the death of General Simon Bolivar Buckner.

Ordered that said resolutions lie on the Clerk's desk.

A message was received from the Senate announcing that they had concurred in the following resolutions:

H. Res. 17. Resolution extending invitation to President Woodrow Wilson, of the United States, to make an address before the meeting of the Kentucky Educational Association held in Louisville, Kentucky, May 1, 1914.

H. Res. 18. Resolution highly commending and endorsing President Woodrow Wilson and Congress for the untiring efforts put forth in enacting into law much needed legislation.

H. Res. 21. Resolution inviting Hon. Dorsey W. Shackelford, to address joint session of House and Senate, Monday, February 16, 1914, at 4:00 o'clock, p. m.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Drescher, of the Committee on County and City Courts:

H. B. 258. An Act repealing Section 4217, Kentucky Statutes, and amending Section 4224, of Kentucky Statutes, providing for the license of certain classes of temporary and transient merchants doing business in any county in the State, defining the same and the manner of issuing license, regulating and advertising and representation of such merchants, and providing penalties for the violation thereof.

With an amendment thereto.

By same:

H. B. 156. An Act to amend and re-enact Section 2248

of Chapter 74, Article 2, Kentucky Statutes of 1909, compiled by John D. Carroll, entitled, "Grand and Petit Jurors—How Obtained."

By Mr. Reed, of the Committee on Compensation for Industrial Injuries:

H. B. 205. An Act prescribing the liability of an employer to make compensation by way of damages for injuries due to accident received by an employe arising out of and in the course of employment, modifying common law and statutory remedies and defenses in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability, and providing methods for payments of compensation thereunder.

With amendment thereto by way of substitute therefor.

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 424. An Act to amend the Constitution of the Commonwealth of Kentucky.

Without expression of opinion.

By Mr. Webb, J. T., of the Committee on Judiciary:

H. B. 259. An Act to amend Section 6, Chapter 1, Kentucky Statutes, Carroll's Edition 1909.

By Same:

H. B. 209. An Act entitled "An Act providing in actions for recovery for personal injuries through negligence, that

contributory negligence shall only reduce or mitigate the amount of recovery.

By Mr. Hall, of the Committee on Public Offices:

H. B. 452. An Act for the adoption of a State flag.

By Mr. Fraser, of the Committee on Public Bridges:

H. B. 240. An Act to amend Sec. 845, Kentucky Statutes, relating to the rates of tolls over bridges crossing streams in this Commonwealth.

With an amendment thereto.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 126. An Act to provide for the regulation of public utilities and for the enforcement of its provisions by the Railroad Commission and other public officials, the employment of necessary assistants and the necessary salaries and expenses in connection therewith, and repealing all acts and parts of acts in conflict herewith.

By Mr. Mount, of the Committee on Railroads:

H. B. 406. An Act to regulate liability of common carriers upon intrastate shipments.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 353. An Act to repeal Chapter 131 of the Acts of 1912, and to re-enact Section 4239 of Kentucky Statutes, 1909 Edition.

With an amendment thereto by way of substitute therefor.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

The Committees to which the same had been referred, reported bills of the following titles, with the expression of opinion that said bills ought not to pass.

By Mr. Farris, of the Committee on Agriculture:

H. B. 243. An Act amending an act which was enacted by the General Assembly of one thousand nine hundred and six, entitled "An Act to promote the sheep industry and provide a tax on dogs."

By Mr. Mount, of the Committee on Railroads:

H. B. 317. An Act to provide for the employment of competent employee to ascertain the fair value of physical properties of common carriers in Kentucky.

By Mr. Blades, of the Committee on Redistricting—Legislative.

H. B. 141. An Act dividing the Commonwealth of Kenetucky into Thirty-eight Senatorial Districts.

By Mr. Smith, of the Committee on Kentucky Statutes.

H. B. 335. An Act designating the 12th day of February a legal holiday in commemoration of Lincoln's birthday.

The question being taken on ordering said bills, Nos. 243 and 335, to a reading, the opinion of the Committee to the

contrary notwithstanding, was decided in the negative.

And so said bills were rejected.

The question being taken on ordering said bills, No. 317 and 141, to a reading, the opinion of the Committee to the contrary notwithstanding, and the yeas and nays being demanded on H. B. 317 by Messrs. Walton and W. M. Webb, were as follows:

Those who voted in the affirmative were—

J. G. Coke, Jr.	H. H. Hays	Dr.J.N.M'Cormack
John Drescher	Dr. S. L. Henry	T. T. Mobley
John C. Duffy	R.B.Hutchcraft,Jr.	Lyman J. Parrigin
C. M. Gum	Griffin Kelly	Richard Radcliffe
E. V. Hall	John H. Klette	Matt.S.Walton,Jr.
Elwood Hamilton	Simon B. Lott	W. M. Webb
J. B. Harvey	C. R. Luker	—20

Those who voted in the negative were—

Peter Ampler	M. J. Farris, Jr.	W. A. Price
Harry Avery	Vert C. Fraser	J. D. Pumphrey
Joseph Boitnott	V. D. Hammond	Stanley F. Reed
Elmer L. Brown	H. H. Harrington	S. H. Rogers
A. T. Bryson	T. R. Jones	W. E. Rogers
Ed. F. Cecil	J. R. Mount	S. M. Saufley
Benj. L. Cox	Harry J. Myers	L. M. Smith
James R. Dorman	John E. Newman	James T. Webb
John W. Douglas	C. B. Nichols	John F. White
H. C. Duffy	S. Mazyck O'Brien	N. B. White
William Duffy	A. W. Palmer	Roy S. Wilson
Odie Duncan	Lilburn Phelps	Douglas G. Wood
Thomas J. Evans	John A. Polin	—38

And the yeas and nays being demanded by Messrs. Luker

and Phelps on ordering said bill No. 141 to a first reading were as follows:

Those voting in the affirmative were—

Geo. B. Barrett	W. T. McNally	B. T. Rountree
A. T. Bryson	S. Mazyck O'Brien	S. M. Saufley
C. M. Gum	Lyman J. Parrigin	Ed. D. Stone
J. B. Harvey	Lilburn Phelps	Matt.S.Walton,Jr.
W. E. Henninger	W. A. Price	W. M. Webb
C. R. Luker	Richard Radcliffe	Douglas G. Wood

—18

Those who voted in the negative were—

Peter Ampler	M. J. Farris, Jr.	T. T. Mobley
Henry C. Blades	J. R. Mount	John E. Newman
Joseph Boitnott	Vert C. Fraser	C. B. Nichols
Elmer L. Brown	Frank C. Greene	John A. Polin
J. G. Coke, Jr.	Elwood Hamilton	J. D. Pumphrey
Benj. L. Cox	V. D. Hammond	Stanley F. Reed
James R. Dorman	H. H. Harrington	S. H. Rogers
John W. Douglas	H. H. Hays	W. E. Rogers
John Drescher	Dr. S. L. Henry	W. A. Shawler
H. C. Duffy	R.B.Hutchcraft,Jr.	L. M. Smith
John C. Duffy	J. M. Johnson	John F. White
William Duffy	John H. Klette	James T. Webb
Odie Duncan	Simon B. Lott	N. B. White
Thomas J. Evans	Dr.J.N.M'Cormack	

—41

And so said bills were rejected.

Mr. Harry J. Myers moved that the vote by which H. B. 317 was refused a reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Farris moved that the vote by which H. B. 243 was refused a reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

H. Res. 21. Resolution inviting Hon. Dorsey W. Shackelford to address joint session of House and Senate Monday, February 16, 1914, at 4:00 o'clock, p. m.

H. B. 341. An Act to make it unlawful in the State of Kentucky for any individual, firm or corporation engaged in the business of selling groceries, meats, vegetables, dry goods, notions or drugs, to sell or to keep for sale any intoxicating liquors, to be drunk on the premises, and to declare the same to be a nuisance, and to provide penalties therefor.

H. B. 356. An Act to confiscate and destroy spirituous, vinous and malt liquors in local option territory.

H. B. 411. An Act to prevent the employment of private guards and gunmen and fixing the penalty for so doing, as well as preventing anyone acting in the capacity of guard or gunmen and fixing the penalty for so acting.

H. B. 384. An Act relating to crimes and punishments and for the protection of girls under sixteen years of age.

H. B. 425. An Act requiring bakers to wrap loaves of bread.

H. B. 130. An Act further regulating common carriers

and prescribing the duties and powers of the Railroad Commission with reference thereto.

With an amendment thereto.

H. B. 358. An Act to regulate the tax on inheritances, and to amend Sections 4281a and 4281m, Article 19, Chapter 108, of the Kentucky Statutes, Carroll's Edition 1909.

With an amendment thereto by way of substitute therefor.

S. B. 3. An Act to amend and re-enact Section 1309, Kentucky Statutes, Carroll's Edition of 1909, relating to carrying concealed weapons.

With amendments thereto.

H. B. 418. An Act to amend Sub-sections 1, 2, 3 and 16 of Section 1409, Chapter 40, Carroll's Kentucky Statutes, 1909 Edition, and extending said section by adding thereto.

H. B. 291. An Act requiring personal representatives and executors to file an inventory of the estate of their testators or intestatees.

H. B. 421. An Act to repeal and re-enact Section 4281a, Kentucky Statutes, relating to inheritance taxes.

H. B. 389. An Act providing for and regulating furnishing of natural gas by gas companies to residents of this State outside of cities and towns.

H. B. 438. An Act to amend an Act entitled "An Act to incorporate the Kentucky Institution for the Education of the Blind" and to provide for the regulation thereof.

H. B. 271. An Act to amend Section 10, of Article 17 of Chapter 22, of an Act of the General Assembly of Kentucky, approved March 15, 1906, entitled, "An Act relating to Revenue and Taxation."

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Smith moved that the rules be suspended and the House take up from the Clerk's desk and adopt a resolution entitled,

S. Res. 19. Resolution on the death of General Simon Bolivar Buckner.

Said motion was agreed to.

Said resolution reads as follows:

Whereas, General Simon Bolivar Buckner, who was Governor of Kentucky from September, 1887, to September, 1891, died on the 7th day of January, 1914, and his death has been a great loss to the State, we deem it proper to express the high esteem in which he was held and to place on the record here a brief memorial of his public service in order that other sons of Kentucky may be encouraged to devote themselves to the service of their State and their fellowmen.

General Buckner was born in Hart County, Kentucky, on April 1, 1823. He was educated at West Point Military Academy, from which he received a diploma in 1844. At 23 he was made Assistant Professor of Ethics there. He was in service as Lieutenant in the Mexican War and was twice

breveted for gallantry in battle. In 1860 he became Commander in Chief of the Kentucky State Guard with the rank of Major General. He resigned his commission when he saw that the attempted neutral position of Kentucky in the Civil War could not be maintained; and then he offered his services to the Confederacy and was appointed a Brigadier General. Though he was third in command at Fort Donalson, on him at last was thrown the necessity of making the inevitable surrender. His two superior officers escaped and left him the task of surrendering the fort. Though it was not yet known what treatment a Confederate prisoner who had been an officer in the United States Army would receive, General Buckner was too manly and brave to desert his men and he surrendered with them, though he, too, might have escaped. After imprisonment for several months in Boston Harbor, he was exchanged, and, returning to the Confederate Army, was promoted to Major General and later to Lieutenant General, taking a conspicuous part in the battles at Perryville and Chicamauga.

In the Spring of 1887 General Buckner was nominated by the Democratic party for Governor and was elected in September, serving four years with ability and general approval. In 1890, while still Governor, he was elected a delegate from Hart County to the Convention that wrote the present Constitution. In 1896 he was nominated for Vice President of the United States by the National Democratic party at Indianapolis, Indiana.

General Buckner was a fine type of manhood of Kentucky. He was tall and strong, courtly and soldierly in bearing, genial but frank and firm. He was highly educated, and well informed in civil and military affairs; he wrote and spoke with precision, elegance and force. His sense of duty was the constant guide to his actions. In his long, honorable, illustrious life, he shed luster, not only on himself, but on the whole Commonwealth. Distinguished in war and in peace, he is a good examplar for the imitation of the youth of the land.

He has been one of the most distinguished men ever born in the State. He has helped so ennoble and enrich our heritage. His services were great; his escutcheon, stainless; his fame is gratifying to all high-minded men.

Be it therefore resolved, That we extend to his bereaved wife and son our profound sympathy in their loss; that these resolutions be written in the journal of each House; that a copy of the resolutions be sent to his wife, and that a suitable copy, properly engrossed, be framed and be hung in the hall of the Kentucky Historical Society at the Capitol of the State.

Said resolutions was adopted.

Mr. Saufley moved that the rules be suspended and that a bill entitled,

H. B. 132. An Act to amend an Act entitled "An Act defining public roads, providing for their establishment, regulation and construction and use and maintenance, creating the office of road engineer and prescribing the duties thereof," be taken from the orders of the day and made a special order for Wednesday, February 18, 1914, at 11:00 o'clock a. m.

Said motion was agreed to.

FOUR O'CLOCK P. M.

In accordance with a resolution heretofore this day adopted, the joint session of the House and Senate convened for the purpose of hearing the address of the Hon. Dorsey W. Shackelford, on the subject of Good Roads.

The President of the Senate presided over said joint session.

At the conclusion of the address above mentioned the joint session dissolved and the Speaker resumed the chair.

Mr. Brown moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 17, 1914.

The House was opened with prayer by the Rev. John J. Gravatt, of the Episcopal Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Evans moved that the rules be suspended and that the calendar be now called.

Said motion to suspend the rules was agreed to.

Ordered that the following bills be read the second time, viz.:

H. B. 258. An Act repealing Section 4217 Kentucky Statutes and amending Section 4224 of Kentucky Statutes, providing for the license of certain classes of temporary and transient merchants doing business in any county in this State, defining the same and the manner of issuing license, regulating and advertising and representation of such merchants, and providing penalties for the violation thereof.

With an amendment thereto.

H. B. 156. An Act to amend and re-enact Section 2248 of Chapter 74, Article two, Kentucky Statutes of 1909, compiled by John D. Carroll, entitled, "Grand and Petit Jurors —How Obtained."

H. B. 205.—An Act prescribing the liability of an employer to make compensation by way of damages for injuries due to accident received by an employe arising out of and in the course of employment, modifying common law and statutory remedies and defenses in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability, and providing methods for payments of compensation thereunder.

With amendment thereto by way of substitute therefor.

H. B. 424. An Act to amend the Constitution of the Commonwealth of Kentucky.

H. B. 259. An Act to amend Section 6, Chapter 1, Kentucky Statutes, Carroll's Edition 1909.

H. B. 209. An Act entitled "An Act providing in actions for recovery for personal injuries through negligence, that contributory negligence shall only reduce or mitigate the amount of recovery.

H. B. 452. An Act for the adoption of a State flag.

H. B. 240. An Act to amend Section 845, Kentucky Statutes, relating to the rates of tolls over bridges crossing streams in this Commonwealth.

With an amendment thereto.

H. B. 126. An Act to provide for the regulation of public utilities and for the enforcement of its provisions by the Railroad Commission and other public officials, the employment of necessary assistants and the necessary salaries and expenses in connection therewith, and repealing all acts and parts of acts in conflict herewith.

H. B. 406. An Act to regulate liability of common carriers upon intrastate shipments.

H. B. 353. An Act to repeal Chapter 131 of the Acts of 1912, and to re-enact Section 4239 of Kentucky Statutes, 1909 Edition.

With an amendment thereto by way of substitute therefor.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Nichols laid before the House the following communication, viz.:

February 16, 1914.

To the Members of the
Senate and House of Representatives
of the General Assembly of Kentucky.

Gentlemen:—

The members of the Commercial Club and citizens of Lexington in general, acknowledging a civic responsibility involving the State institutions located here, would appreciate the privilege and honor of entertaining the General Assembly in Lexington for a day at such time as will best suit its convenience, in order to meet and greet you in person and to

provide an opportunity for you to visit State University, Eastern Kentucky State Hospital and the Houses of Reform, that you can by personal observation see these institutions, meet the officers in charge, and note the conditions and environments surrounding them.

If our organization and our people are so fortunate as to receive an acceptance of this invitation, we will arrange for the transportation from and to Frankfort and endeavor to care for you while here in such manner as to cause you no regret for the time spent in Lexington.

May we not realize a favorable consideration of our anticipations?

Cordially and sincerely,
The Commercial Club,
By JOHN G. CRAMER,
Secretary.

Mr. John G. Miller, Jr., offered the following resolution, viz.:

Whereas, the City of Lexington has extended to the Senate and House of Representatives an invitation to visit said city and the State Institutions situated therein, and

Whereas, the Senate has accepted said invitation for Saturday, February 21, 1914; therefore,

Be it resolved by the House of Representatives, That this House accept said invitation for the same date, and the Clerk be directed to notify the proper parties of the acceptance of said invitation.

Mr. Roy S. Wilson moved that the rules be suspended and that said resolution be adopted.

Said motion was agreed to.

Said resolution was adopted.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 29. An Act to abolish the fellow-servant rule of law in this State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That hereafter, whenever death or any injury to the person shall result from the negligence of any person or persons, company or companies, corporation or corporations, their agents or servants, damages may be recovered therefor, and when the negligence is gross, punitive damages may be recovered, and the right of recovery for such death or injury to the person shall not be defeated or denied by any court in this State, though the death or injury be due to the negligence of a fellow servant of any rank whatsoever.

Mr. Greene offered the following amendment to said bill, by way of substitute therefor.

Said substitute reads as follows:

Whenever the death of a person shall result from an injury inflicted by negligence or wrongful act, then in every such case damages may be recovered for such death from the person or persons, company or companies, corporation or corporations, their agents or servants, causing the same, and when the act is wilful or the negligence is gross, punitive damages may be recovered, and the action to recover such damages shall be prosecuted by the personal representative of the deceased. All actions under Section 6, Kentucky

Statutes, and in all actions under the common law for the injury to the person of any employe, resulting from negligence, it shall not be a defense that the injury to the person or the injury resulting in death was caused by the negligence of a fellow-servant, or that the deceased or the person injured assumed the risk incident to the employment; nor shall the fact that the employe so killed or injured may have been guilty of contributory negligence, bar the recovery, but damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employe. The amount recovered, less funeral expenses and the cost of administration, and such costs about the recovery, including attorney fees as are not included in the recovery from the defendant, shall be for the benefit of and go to the kindred of the deceased in the following order, viz.:

1. If the deceased leaves a widow or husband, and no children or their descendants, then the whole to such widow or husband.

2. If the deceased leaves either a widow and children or a husband and children, then one-half to such widow or husband and the other one-half to the children of the deceased.

3. If the deceased leaves a child or children, but no widow or husband, then the whole to such child or children. If the deceased leaves no widow, husband or child, then such recovery shall pass to the mother and father, one moiety each, if both be living; if the mother be dead and the father be living, the whole thereof shall pass to the father; and if the father be dead and the mother be living, the whole thereof shall go to the mother; and if both father and mother be dead, then the whole of the recovery shall become a part of the personal estate of the deceased; and after the payment of his debts, the remainder, if any, shall pass to his kindred more remote than those above named, as is directed by the general law on descent and distribution.

All acts or parts of acts in conflict with this act are hereby repealed.

Said substitute amendment was disagreed to.

Mr. Kelly offered the following amendment to said bill, viz.:

Amend by adding: "Nothing in this Act shall apply to farm labor."

Said amendment was disagreed to.

Mr. J. T. Webb moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. G. Coke, Jr.	Frank C. Greene
Harry Avery	H. C. Duffy	E. V. Hall
Joseph Boitnott	John C. Duffy	Elwood Hamilton
Elmer L. Brown	William Duffy	H. H. Hays
A. T. Bryson	Odie Duncan	Dr. S. L. Henry
Glover H. Cary	Vert C Fraser	R. B. Hutchcraft Jr.

T. R. Jones	A. W. Palmer	N. C. Tilford
John H. Klette	Lilburn Phelps	M. S. Walton, Jr.
Simon B. Lott	William A. Perry	James T. Webb
C. R. Luker	John A. Polin	W. M. Webb
W. T. McNally	Dr. T. J. Poteet	N. B. White
John G. Miller, Jr.	Dr. W. R. Ray	J. D. Wills
T. T. Mobley	Stanley F. Reed	M. O. Wilson
J. R. Mount	L. M. Smith	Roy S. Wilson
John E. Newman	W. T. Stott	

—44

Those who voted in the negative were—

C. W. Burton	W. L. Hampton	Lyman J. Parrigin
Ed. F. Cecil	H. H. Harrington	J. D. Pumphrey
Benjamin L. Cox	J. B. Harvey	S. H. Rogers
John W. Douglas	John A. Judy	W. E. Rogers
John Drescher	Griffin Kelly	S. M. Saufley
M. J. Farris, Jr.	William J. Kuh	W. A. Shawler
John F. Fryer	C. B. Nichols	Adam Spahn
C. M. Gum	S. Mazyck O'Brien	Ed. D. Stone

—24

Resolved, That the title thereof be as aforesaid.

Mr. J. C. Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took for consideration, from the orders of the day, a bill entitled:

H. B. 216. An Act to amend Section 805, Kentucky Statutes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 805 of the Kentucky Statutes be, and the same is hereby, amended by inserting immediately before the words, "any engine or car," the words "or to be on, or to ride in or upon," so that said section when so amended shall read as follows:

"It shall be unlawful for any person, other than passengers and employees, to get on or off on the outside, or to swing on or hang on from the outside, or to be on, or to ride in or upon, any engine or car whilst the same is in motion, or switching, or immediately preceding its moving or switching. Any person violating the provisions of this section shall be fined not exceeding ten dollars for each offense."

Mr. Greene offered the following amendment to said bill, viz.:

Amend by adding the following words:

"All railroads, less than fifteen miles in length, are exempt from the provisions of this act."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	Lilburn Phelps
Harry Avery	J. B. Harvey	William A. Perry
Geo. B. Barrett	H. H. Hays	John A. Polin
Joseph Boitnott	Dr. S. L. Henry	Dr. T. J. Poteet
Elmer L. Brown	R. B. Hutchcraft Jr.	W. A. Price
A. T. Bryson	T. R. Jones	J. D. Pumphrey
Glover H. Cary	John A. Judy	Richard Radcliffe
Ed. F. Cecil	Griffin Kelly	Dr. W. R. Ray
J. G. Coke, Jr.	John H. Klette	S. H. Rogers
Benjamin L. Cox	William J. Kuh	W. E. Rogers
John W. Douglas	Simon B. Lott	L. M. Smith
John Drescher	C. R. Luker	Adam Spahn
H. C. Duffy	W. T. McNally	Ed. D. Stone
John C. Duffy	John G. Miller, Jr.	W. T. Stott
William Duffy	T. T. Mobley	N. C. Tilford
Thomas J. Evans	J. R. Mount	M. S. Walton, Jr.
John F. Fryer	Harry J. Myers	James T. Webb
Frank C. Greene	John E. Newman	W. M. Webb
C. M. Gum	C. B. Nichols	N. B. White
E. V. Hall	S. Mazyck O'Brien	J. D. Wills
Elwood Hamilton	A. W. Palmer	M. O. Wilson
W. L. Hampton	Lyman J. Parrigin	Roy S. Wilson

—66

There voted in the negative—

C. W. Burton —1

Resolved, That the title thereof be as aforesaid.

Mr. Harry J. Myers moved that the vote upon which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of 11:00 o'clock having arrived, the House took up for consideration the special order for that hour, a bill entitled:

H. B. 263. An Act levying a tax to pay claims arising under an act entitled, "An Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate Soldiers," approved March 14, 1912, and to pay the expenses of the administration of such law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

That an annual tax of six and one-half cents upon each one hundred dollars of value of all property directed to be assessed for taxation in this State shall be paid by the owner, person or corporation assessed; and the sums arising from such tax, or so much thereof as may be necessary, are hereby appropriated to the payment of such claims as may arise under an act entitled, "An Act granting pensions to indigent and disabled Confederate soldiers and the widows of Confederate soldiers," approved March 4, 1912, and to pay the expenses of the administration of said law.

Mr. Price offered the following amendment to said bill:

Amend by striking out "six and one-half" and inserting in lieu thereof "two and one-half."

Said amendment was agreed to.

Mr. J. C. Duffy moved that said bill be recommitted to the Committee on Confederate Homes, with leave to report at any time.

Upon said motion to recommit said bill, the yeas and nays being required thereon by Messrs. Price and Meyers, were as follows:

Those voting in the affirmative were—

Henry C. Blades	Griffin Kelly	Dr. W. R. Ray
J. G. Coke, Jr.	William J. Kuh	Stanley F. Reed
John Drescher	C. R. Luker	W. E. Rogers
H. C. Duffy	W. T. McNally	S. M. Saufley
John C. Duffy	T. T. Mobley	Adam Spahn
William Duffy	J. R. Mount	W. T. Stott
M. J. Farris, Jr.	John E. Newman	Matt.S.Walton,Jr.
E. V. Hall	A. W. Palmer	W. M. Webb
Elwood Hamilton	Lyman J. Parrigin	John F. White
W. L. Hampton	Lilburn Phelps	N. B. White
H. H. Hays	John A. Polin	J. D. Wills
R.B.Hutchcraft,Jr.	Dr. T. J. Poteet	M. O. Wilson
T. R. Jones	Richard Radcliffe	—38

Those who voted in the negative were—

Peter Ampler	Vert C. Fraser	S. Mazyck O'Brien
Harry Avery	John F. Fryer	William A. Perry
Wallace Bailey	Frank C. Greene	W. A. Price
Geo. B. Barrett	C. M. Gum	J. D. Pumphrey
Joseph Boitnott	H. H. Harrington	S. H. Rogers
Elmer L. Brown	J. B. Harvey	W. A. Shawler
A. T. Bryson	Dr. S. L. Henry	L. M. Smith
C. W. Burton	John A. Judy	Ed. D. Stone
Benjamin L. Cox	John H. Klette	N. C. Tilford
Odie Duncan	Simon B. Lott	James T. Webb
John W. Douglas	John G. Miller, Jr.	Roy S. Wilson
Thomas J. Evans	Harry J. Myers	—35

And so said motion to recommit was agreed to.

The Committee on Revenue and Taxation to which same

had been recommitted with leave to report at any time for passage, reported.

H. B. 295. An Act to provide for the uniform accounting and inspecting of the public offices of this Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Commissioners of the Sinking Fund of Kentucky, composed of the Governor, the Attorney General, the Auditor of Public Acounts, the Treasurer and the Secretary of State, shall formulate and install a uniform system of accounting and reporting on the receipts, use and handling of all public funds due and payable to the Commonwealth of Kentucky, and the distribution thereof to the public officials, the institutions, firms, corporations and individuals entitled thereto. The system so adopted shall require each department of the State government, and each official who receives or expends any of the public funds, to keep an account of the receipts and expenditures of their respective departments, so as to show a daily balance of the receipts and disbursements of that department, and said system shall be so constructed that the Auditor of Public Accounts and the State Treasurer will each keep a book or books showing a daily balance of the receipts and disbursements of all public moneys, and said system shall be so constructed that all officials charged with the collection or disbursement of public money may be required to report annually to the Commissioners of the Sinking Fund the total receipts and expenditures of each department. The system so adopted by said Commission shall be put in operation beginning with the first day of July, 1914, or as soon thereafter as practical.

§ 2. The Commissioners of the Sinking Fund of Kentucky are authorized to employ an expert and such other assistants

as may be necessary, to devise the proper uniform system of accounting, and to prepare books, reports and blanks to be used by all the officials who are charged with the duty of collecting and receiving public moneys for the Commonwealth of Kentucky. Should said Commission employ such expert or assistants, they will enter into a written contract with the person so employed, which contract shall set forth the duties to be performed by the person, the amount to be paid for the service, and a copy of said contract shall be filed in the office of the Secretary of State as a public record, and the Auditor of Public Accounts is directed to pay the compensation due said expert, and the other expenses incident to the preparation and adoption of the system, upon the order of the Commissioners of the Sinking Fund.

§ 3. When the Commissioners of the Sinking Fund shall have agreed upon and adopted a system of uniform accounting, as required by this Act, they shall cause to be prepared and printed all books, blanks and receipts necessary to install said system of uniform accounting, and will deliver to the officers charged with the duty of collecting and disbursing public moneys, such of the books, blanks and receipts as may be necessary for the use of such official, and such official shall from and after July 1, 1914, or when directed by said Commission use said books, blanks, receipts and reports so adopted by said Commission, and no other. If any official shall refuse to use any book, blank, receipt or report so adopted, or to make any report required by the Commission. such official shall be deemed guilty of a misdemeanor and be subject to indictment by the grand jury of the Franklin Circuit Court, and upon conviction, he shall be fined in any sum not less than twenty-five nor more than five hundred dollars for each offense.

§ 4. When the Commissioners of the Sinking Fund shall have adopted the books, blanks and forms to be used by the different officials, they shall require the public printer to prepare such books under the existing contract with the Com-

monwealth of Kentucky, and the cost thereof will be paid by the Auditor of Public Accounts as other public printing is now paid.

§ 5. All officials authorized to collect money for the Commonwealth of Kentucky, shall, on the last day of each month, report to the Auditor and pay into the State Treasury all the funds on hands.

§ 6. The Commissioners of the Sinking Fund may from time to time, change the books, blanks, forms and system so adopted by them when, in their opinion, a change is necessary in order to conform to existing conditions.

§ 7. All laws and parts of laws in conflict with this Act are hereby repealed.

§ 8. In order to enable the Commissioners of the Sinking Fund to properly consider and devise a system of public accounting to be installed on July 1, 1914, an emergency is declared to exist, and this Act shall take effect from and after its passage and approval by the Governor.

The Committee on Revenue and Taxation offered the following amendments to said bill:

Amend by adding after the word thereto, in line 7, Section 1, the words, "And for each county thereof."

Amend Section 4, by adding at the end of the last line the words, "And such books, blanks and forms for county offices and officials shall be procured and supplied as now provided by law for such supplies."

Said amendments were agreed to.

Mr. Phelps offered the following amendment to said bill:

Amend by striking out the words, "by the grand jury of the Franklin Circuit Court," in line 13 of Sec. 3.

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those voting in the affirmative were—

Peter Ampler	W. L. Hampton	Lilburn Phelps
Harry Avery	J. B. Harvey	William A. Perry
Wallace Bailey	H. H. Hays	John A. Polin
Geo. B. Barrett	W. E. Henninger	Dr. T. J. Poteet
Henry C. Blades	Dr. S. L. Henry	W. A. Price
Joseph Boitnott	D. H. Hillman	J. D. Pumphrey
Elmer L. Brown	J. J. Huff	Richard Radcliffe
A. T. Bryson	R.B.Hutchcraft,Jr.	S. H. Rogers
C. W. Burton	T. R. Jones	W. E. Rogers
Glover H. Cary	John A. Judy	S. M. Saufley
Ed. F. Cecil	Griffin Kelly	W. A. Shawler
J. G. Coke, Jr.	John H. Klette	L. M. Smith
Benj. L. Cox	William J. Kuh	Adam Spahn
James R. Dorman	C. R. Luker	Ed. D. Stone
John W. Douglas	Dr.J.N.M'Cormack	W. T. Stott
John Drescher	W. T. McNally	Matt.S.Walton,Jr.
H. C. Duffy	T. T. Mobley	James T. Webb
John C. Duffy	J. R. Mount	W. M. Webb
William Duffy	Harry J. Myers	N. B. White
Thomas J. Evans	John E. Newman	J. D. Wills
Vert C. Fraser	C. B. Nichols	M. O. Wilson
C. M. Gum	S. Mazyck O'Brien	Roy S. Wilson
E. V. Hall	A. W. Palmer	
Elwood Hamilton	Lyman J. Parrigin	—70

Those who voted in the negative were—

John F. Fryer H. H. Harrington —2

Resolved, That the title thereof be as aforesaid.

Mr. Hutchcraft moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolution of the following title, viz.:

H. Res. 17. Resolution extending an invitation to President Woodrow Wilson, of the United States, to make an address before the meeting of the Kentucky Educational Association held in Louisville, Kentucky, May 1, 1914.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution which originated in the House and which has been signed

by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 11. An Act prohibiting the purchase or having in possession a certificate of registration of any voter of this Commonwealth and providing a penalty therefor.

Mr. Myers moved that said bill be recommitted to the Committee on Suffrage and Election.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled,

H. B. 81. An Act to amend Election Law of 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

This section 28 of Chapter 7 of the Acts of 1912 be amended by striking out the word "five" in said section, it being the sixth word in the sixth line of said section, and inserting in lieu of same the word "ten." Also by inserting after the word Court, in said section, it being after the 2nd word in the 11th line of said section, the following words, "or by leaving said summons with some member of his family over 16 years of age, or by fastening same upon the front

door of his last place of residence." Said section when so amended shall read as follows:—

Contests—Any candidate wishing to contest the nomination of any other candidate who was voted for at any Primary election held under this Act shall give notice in writing to the person whose nomination he intends to contest, stating the grounds of such contest, within ten days from the time the Election Commissioners shall have awarded the certificate of nomination to such candidate whose nomination is contested. Said notice shall be served in the same manner as a summons form the Circuit Court or by leaving said summons with some member of his family over 16 years of age, or by fastening same upon the front door of his last place of residence, and shall warn the contestee of the time and place, when and where the contestee shall be required to answer and defend such contest, which shall not be less than three, nor more than ten days after the service thereof. Such contest shall be tried by the Judge of the Circuit Court of the county in which the contestee resides or is served. Upon return of said notice properly executed as herein provided, to the office of the Circuit Clerk of the county in which said contestee resides or is served with such notice of contest, it shall be the duty of the Clerk of the Circuit Court to immediately docket said cause and to immediately notify the presiding Judge of the Circuit Court of said county that such contest has been instituted. Provided, that in counties constituting separate Circuit Court districts, and having more than one Circuit Judge, the judge who shall hear and determine such cause shall be determined by lot. On or before the time for the return of the said notice of contest, the contestee may controvert the grounds of contest and may also set up additional grounds of contest against the contestant. If additional grounds of contest are set up by the response of the contestee the court may allow the contestant reasonable time, not to exceed three days, however, in which to reply; but no additional grounds of contest shall be set up in any reply, and the cause

shall be tried upon the grounds of contest contained in the original notice by the contestant and the response of the contestee. Each party to such contest shall be entitled in the production of evidence to be used on the trial thereof to all the remedies allowed in cases of law and in equity, and the judge shall proceed to a trial of said cause within five days after issue is joined as herein provided. In trying such contests the court shall hear and determine all questions of law and fact without the intervention of a jury and may examine the witnesses orally or require the parties to take the evidence by depositions, in the discretion of the court, or as may be agreed by the parties; Provided, however, that if the evidence is taken orally either party may have the right to require it to be taken by the official stenographer or reporter for the court, to be taken and transcribed and paid for as evidence in other civil actions. The court may require the contestant, or the person who has the burden of proof, under the issues joined, to complete his proof in not less than five days, and the contestee, or the perons not having the burden, to complete his proof in not less than five days thereafter, and each party may be given one day additional for producing evidence in rebuttal, and no greater time shall be extended, unless the court be satisfied that the ends of justice demand it. The court shall immediately, after the evidence is concluded, consider said contest and determine the same, and his judgment shall be filed in the office of the Circuit Court Clerk as the judgment of the Court, and shall have the same force and effect as a judgment rendered by the court in term time. The party desiring to appeal from the judgment of the court shall, on the same day after the same is rendered, execute a supersedeas bond in the same form and to the same effect as other supersedeas bonds in other civil actions for an appeal to the Court of Appeals, and the clerk shall immediately thereafterwards transmit to the Clerk of the Court of Appeals the original papers in said contest, including such transcript of evidence as may be furnished or as may be required by the

court or by the parties, and said record of said contest when received by the Clerk of the Court of Appeals shall be immediately delivered to the Chief Justice, and said contest shall have precedence over all other business and causes then pending in the Court of Appeals and shall be heard and disposed of by the Court of Appeals as speedily as the exigencies in the case will admit. If on the trial of such contest the issue is finally decided in favor of the contestee this fact shall be certified to the Secretary of State, and to the County Court Clerk of the county in which the cause is finally determined. If said contest is finally decided in favor of the contestant this fact shall be certified to the Secretary of State, and to the Clerk of the Circuit Court of the County in which the contest originated; and if the contest was of a nomination that is required to be certified to the Secretary of State, then the Secretary of State will place the name of the successful contestant on the ticket in place of the name of the contestee to be voted for by his political party at the succeeding November election. If the nomination is one that is required to be certified to the County Court Clerk, then the County Court Clerk or Clerks of the county or counties in which such candidate is to be voted for, shall place the name of the successful contestant on the ballot of his political party in lieu of the name of the contestee, to be voted for at the succeeding November election. Provided, however, that when the contests provided for in this act shall be for nomination to offices for the state at large the notice of the contest shall be filed and the contest tried in the Franklin Circuit Court; but shall otherwise be subject to the provisions of this Act.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
Harry Avery
Wallace Bailey
Geo. B. Barrett
Henry C. Blades
Joseph Boitnott
Elmer L. Brown
A. T. Bryson
C. W. Burton
Glover H. Cary
Ed. F. Cecil
J. G. Coke, Jr.
Benj. L. Cox
James R. Dorman
John W. Douglas
H. C. Duffy
John C. Duffy
William Duffy
Odie Duncan
M. J. Farris, Jr.
Bert C. Fraser
John F. Fryer
Frank C. Greene
C. M. Gum
E. V. Hall
Elwood Hamilton
W. L. Hampton
H. H. Harrington
H. H. Hays
Dr. S. L. Henry
D. H. Hillman
J. J. Huff
R. B. Hutchcraft Jr.
T. R. Jones
Griffin Kelly
John H. Klette
William J. Kuh
C. R. Luker
W. T. McNally
John G. Miller, Jr.
T. T. Mobley
J. R. Mount
Harry J. Myers
John E. Newman
C. B. Nichols
Lyman J. Parrigin
Lilburn Phelps
William A. Perry
John A. Polin
W. A. Price
J. D. Pumphrey
Richard Radcliffe
Dr. W. R. Ray
Stanley F. Reed
S. H. Rogers
W. E. Rogers
S. M. Saufley
Adam Spahn
Ed. D. Stone
W. T. Stott
N. C. Tilford
M. S. Walton, Jr.
James T. Webb
W. M. Webb
John F. White
N. B. White
J. D. Wills
M. O. Wilson
S. Mazyck O'Brien

—70

Resolved, That the title thereof be as aforesaid.

Mr. Douglas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Walton moved that the House do now recess until 2:00 o'clock.

Said motion was agreed to.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 261. An Act to repeal, revise and re-enact Sections 6, 8 and 9 of Primary Election Law, so that candidates will not be required to secure signatures of electors to petitions in order to get on ballots.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 6, 8 and 9 of an act approved by the Governor of Kentucky March 5, 1912, and printed on pages 47 to 77, inclusive, of the Acts of 1912 of the Kentucky General Assembly, being "An Act to provide for the nomination of candidates by political parties at primary elections and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof be and each of said three sections are hereby repealed.

§ 2. That section 6 of said act be and the same is hereby revised and re-enacted so that same will read as follows:

NOMINATION PAPER—Any qualified elector who files his petition as hereinafter provided and is a member of a political party subject to the provisions of this act shall have his name printed on the official nominating ballot of his party as a candidate for nomination for any office at any primary

election held under the provisions of this act. Said petition shall state the name, age, post-office address and political affiliations and all other legal qualifications of the candidate and shall be in substantially the following form:

To ..... (Address of the officer with whom the petition is to be filed) and to the members of the ..... party of .... (State, county, postoffice, street and number or rural route). I am a member of the .... political party and affiliate with it and supported its nominees at the last regular election, and I am ..... years of age and possess all the other legal qualifications necessary to entitle me to hold the office of ..... (here state the name of the office for which he desires to be voted), to-wit:

....

(here state all additional legal qualifications required for holding said office.) If I am nominated for said office of ..... at the primary election to be held on the first Saturday in August next, I will accept the nomination and will not withdraw, and, if elected, will qualify as such officer.

Dated at ..... on this the ..... day of ..... 19.....

Mr. Cary moved to suspend the rules in order that H. B. 76 might be substituted for said H. B. 261.

Said motion was disagreed to.

Mr. Polin offered the following amendment to said bill:

Amend H. B. 261, Section 2, line 9, after the word "candidate," insert the following: "And shall be sworn to by the petitioner."

Said amendment was agreed to.

Mr. Saufley moved to reconsider the vote by which the House refused to suspend the rules.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Elwood Hamilton	Ed. Frost	John McDyer
Peter Ampler	John F. Fryer	T. T. Mobley
Harry Avery	C. M. Gum	Harry J. Myers
Geo. B. Barrett	E. V. Hall	John E. Newman
Henry C. Blades	W. L. Hampton	C. B. Nichols
Joseph Boitnott	H. H. Harrington	S. Mazyck O'Brien
Elmer L. Brown	W. E. Henninger	A. W. Palmer
A. T. Bryson	Dr. S. L. Henry	Lyman J. Parrigin
C. W. Burton	D. H. Hillman	Lilburn Phelps
Ed. F. Cecil	J. J. Huff	William A. Perry
J. G. Coke, Jr.	T. R. Jones	John A. Polin
Benj. L. Cox	John A. Judy	J. D. Pumphrey
John W. Douglas	Griffin Kelly	Richard Radcliffe
John Drescher	John H. Klette	Dr. W. R. Ray
William Duffy	William J. Kuh	Stanley F. Reed
Odie Duncan	Simon B. Lott	S. H. Rogers
Thomas J. Evans	C. R. Luker	W. E. Rogers
Vert C. Fraser	Dr.J.N.M'Cormack	S. M. Saufley

Adam Spahn	W. M. Webb	M. O. Wilson
Ed. D. Stone	John F. White	Roy S. Wilson
W. T. Stott	N. B. White	Douglas G. Wood
James T. Webb	J. D. Wills	—66

Those who voted in the negative were—

H. H. Hays	R.B.Hutchcraft,Jr.	—2

Resolved, That the title thereof be as aforesaid.

Mr. J. T. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 229. An Act to amend Chapter 75 of the Acts of the General Assembly of 1912, assigning cities and towns of this Commonwealth to the class to which they belong. Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 75, of the Acts of the General Assembly of 1912, entitled, "An Act to amend and re-enact an act entitled, 'An act to amend an act entitled 'An act to amend an act entitled, An act to assign the cities and towns of this Commonwealth to the classes to which they belong,' approved March 14, 1912," be amended by striking from the cities of the fourth class the words, "Hopkinsville, Christian County," and by inserting the said words in the cities of the third class after the words, "Bell County," and by striking from the last clause

of the said act the figures "1909" and inserting therein the figures "1913"; also by striking therefrom the figures "1913," and inserting therein the figures "1917," so that when amended and re-enacted said act shall read as follows:

The cities and towns of the Commonwealth are classified as follows, to-wit:

First-class—Louisville, Jefferson county.

Second-class—Lexington, Fayette county; Covington, Kenton county; Newport, Campbell county; Paducah, McCracken county.

Third class—Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling Green, Warren county; Middlesboro, Bell county; Hopkinsville, Christian county.

Fourth-class—Shelbyville, Shelby county; Maysville, Mason county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Ashland, Boyd county; Catlettsburg, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery county; Georgetown, Scott county; Versailles, Woodford county; Harrodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Lebanon, Marion county; Ludlow, Kenton county; Nicholasville, Jessamine county; Pineville, Bell county; Madisonville, Hopkins county; Princeton, Caldwell county; Fulton, Fulton county; Lawrenceburg, Anderson county; Russellville, Logan county; Carrollton, Carroll county; Central City, Muhlenburg county; Corbin, Whitley and Knox counties; Franklin, Simpson county; Barbourville, Knox county; Highlands, Campbell county; London, Laurel county; Providence, Webster county; Morganfield, Union county; Pikeville, Pike county, and Somerset, Pulaski county.

Fifth-class—Lancaster, Garrard county; Cadiz, Trigg county; Grand Rivers, Livingston county; Greenville, Muhlenbrug county; Louisa, Lawrence county; Columbus, Hickman county; Glasgow, Barren county; West Covington,

Kenton county; Earlington, Hopkins county; Hickman, Fulton county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Elkton, Todd county; Falmouth, Pendleton county; Vanceburg, Lewis county; Carlisle, Nicholas county; Uniontown, Union county; Campbellville, Taylor county; Hawesville, Hancock county; Eminence, Henry county; Eddyville, Lyon county; Leitchfield, Grayson county; Owingsville, Bath county; Murray, Calloway county; Marion, Crittenden county; Sebree City, Webster county; Clay, Webster county; Wickliffe, Ballard county; Morehead, Rowan county; Bardwell, Carlisle county; Sturgis, Union county; Dawson Springs, Hopkins county; Millersburg, Bourbon county; Calhoun, McLean county; Springfield, Washington county; Corydon, Henderson county; Hartford, Ohio county; Morton's Gap, Hapkins county; Livermore, McLean county; Oakdale, Jefferson county; Beattyville, Lee county; Owenton, Owen county; Scottsville, Allen county; Olive Hill, Carter county; Burnside, Pulaski county; Prestonburg, Floyd county; Warsaw, Gallatin county; Monticello, Wayne county; Berea, Madison County; LaGrange, Oldham county; Guthrie, Todd county; Clifton, Campbell county; Jackson, Breathitt county; Russell, Greenup county; Mt. Pleasant, Harlan county; Hustonville, Lincoln county; Crab Orchard, Lincoln county; and Elizabethtown, Hardin county.

Sixth Class—All other incorporated cities and towns not named in this bill shall belong to the Sixth Class.

Provided, That the officers elected in 1913 and all the officers now serving in the cities above mentioned that are by this act changed from a class other than they are now, shall be continued and remain as the officers in the class to which they are now placed, and shall hold such offices until their successors are elected at the regular November election, 1917.

Mr. Saufley offered the following amendment to said bill, viz.:

Amend line 54 by striking therefrom the words "Crab Orchard, Lincoln county."

Said amendemnt was agreed to.

Mr. Frost offered the following amendment to said bill, viz.:

Amend H. B. 229 by adding in line 55, immediately after the words "Elizabethtown, Hardin County," "and Drakesborough, Muhlenburg county."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provisions as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken upon the passage of said bill, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Ed. F. Cecil	William Duffy
Harry Avery	J. G. Coke, Jr.	Thomas J. Evans
Geo. B. Barrett	Benj. L. Cox	M. J. Farris, Jr.
Henry C. Blades	John W. Douglas	Vert C. Fraser
Elmer L. Brown	John Drescher	Ed. Frost
A. T. Bryson	H. C. Duffy	John F. Fryer
C. W. Burton	John C. Duffy	Frank C. Greene

C. M. Gum	C. R. Luker	Richard Radcliffe
E. V. Hall	John McDyer	Dr. W. R. Ray
Elwood Hamilton	W. T. McNally	W. E. Rogers
W. L. Hampton	John G. Miller, Jr.	S. M. Saufley
H. H. Harrington	T. T. Mobley	L. M. Smith
J. B. Harvey	J. R. Mount	Ed. D. Stone
D. H. Hillman	Harry J. Myers	W. T. Stott
J. J. Huff	John E. Newman	James T. Webb
R.B.Hutchcraft,Jr.	C. B. Nichols	W. M. Webb
T. R. Jones	S. Mazyck O'Brien	John F. White
John A. Judy	A. W. Palmer	N. B. White
Griffin Kelly	Lyman J. Parrigin	J. D. Wills
John H. Klette	Lilburn Phelps	M. O. Wilson
William J. Kuh	William A. Perry	Roy S. Wilson
Simon B. Lott	J. D. Pumphrey	Douglas G. Wood

—66

There voted in the negative—

W. E. Henninger —1

Resolved, That the title thereof be as aforesaid.

Mr. J. C. Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled,

H. B. 274. An Act authorizing rewards for killing chicken hawks.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every person who shall kill a chicken hawk within this State, shall be paid the sum of Fifty Cents, out of the Fish and Game Protection Fund, for each hawk so killed.

§ 2. Before the amount allowed for killing a chicken hawk shall be paid, the person killing the same shall produce the head and claws of the hawk before the clerk of the county in which same was killed, who shall administer to him the following oath or affirmation: "You do solemnly swear that the head and claws now produced by you are the head and claws of a chicken hawk which you killed in this county, and that you did not take said chicken hawk in any other State, or bring the same into this State; that you did not breed or raise the same, nor was it done by another to your knowledge or belief; and that you will truly state the time, and the county in which said hawk was killed by you."

§ 3. The clerk shall issue to such person, by name, a certificate, stating the facts, and that he has taken the oath required by law. The clerk shall forthwith destroy the head and claws of each chicken hawk so produced before him.

§ 4. Upon the production of such certificate to the Auditor, he shall draw his warrant on the State Treasurer in favor of the person entitled thereto, and same shall be paid by the Treasurer, and charged to the account of the Fish and Game Protection Fund.

§ 5. Any clerk who shall make a false or fraudulent certificate, shall be fined not less than $100.00, nor more than $300.00. The county clerk shall be paid by the person entitled to said reward, fifteen cents for each certificate.

Mr. M. O. Wilson offered the following amendment to said bill:

Amend by striking out of lines 2 and 3 in Section 1, the words "the fish and game protection fund," and inserting instead the words, "any money in the State Treasury not otherwise appropriated."

Said amendment was disagreed to.

Mr. Coke moved that the further consideration of said bill be postponed indefinitely.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 202. An Act authorizing the jailor to execute a capias pro fine.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any Jailor of this State may execute and return any capias pro fine directed to him and in so doing he shall have the same power, be subject to the same liabilities and receive the same fee as the Sheriff, when said duty is performed by him.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend H. B. 202 by adding at the end thereof the words, "if the defendant desires to replevy the fine, the jailor may take the replevin bond, being responsible therefor on his own official bond as other officers are who are by law authorized to take replevin bonds."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the thirding reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	Elwood Hamilton	Lilburn Phelps
Harry Avery	W. L. Hampton	William A. Perry
Geo. B. Barrett	H. H. Harrington	John A. Polin
Joseph Boitnott	J. B. Harvey	J. D. Pumphrey
Elmer L. Brown	H. H. Hays	Richard Radcliffe
A. T. Bryson	W. E. Henninger	Dr. W. R. Ray
C. W. Burton	Dr. S. L. Henry	Stanley F. Reed
Glover H. Cary	D. H. Hillman	S. H. Rogers
Ed. F. Cecil	R.B.Hutchcraft,Jr.	W. E. Rogers
J. G. Coke, Jr.	T. R. Jones	S. M. Saufley
Benj. L. Cox	John A. Judy	L. M. Smith
James R. Dorman	Griffin Kelly	Adam Spahn
John W. Douglas	John H. Klette	Ed. D. Stone
John Drescher	William J. Kuh	W. T. Stott
H. C. Duffy	Simon B. Lott	James T. Webb
John C. Duffy	C. R. Luker	W. M. Webb
William Duffy	Dr.J.N.M'Cormack	John F. White
Thomas J. Evans	John McDyer	N. B. White
M. J. Farris, Jr.	W. T. McNally	Harry J. Myers
Vert C. Fraser	T. T. Mobley	John E. Newman
Ed. Frost	J. R. Mount	J. D. Wills
John F. Fryer	C. B. Nichols	M. O. Wilson
Frank C. Greene	S. Mazyck O'Brien	Roy S. Wilson
C. M. Gum	A. W. Palmer	Douglas G. Wood
E. V. Hall	Lyman J. Parrigin	—74

Resolved, That the title thereof be as aforesaid.

Mr. Phelps moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 192. An Act to change the time of the Circuit Court in the county of Cumberland in the 29th Judicial District.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the regular terms of the circuit courts in the County of Cumberland shall commence in each year on the first Monday in February, June and October, and that each term shall continue twelve juridical days, if the business of the court require it.

§ 2. That all acts and parts of acts in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	W. L. Hampton	William A. Perry
Geo. B. Barrett	H. H. Harrington	John A. Polin
Henry C. Blades	J. B. Harvey	Dr. T. J. Poteet
Joseph Boitnott	Dr. S. L. Henry	J. D. Pumphrey
Elmer L. Brown	H. H. Hays	Richard Radcliffe
A. T. Bryson	D. H. Hillman	Dr. W. R. Ray
C. W. Burton	J. J. Huff	Stanley F. Reed
Glover H. Cary	T. R. Jones	S. H. Rogers
Ed. F. Cecil	Griffin Kelly	W. E. Rogers
Benj. L. Cox	John H. Klette	S. M. Saufley
James R. Dorman	William J. Kuh	L. M. Smith
John W. Douglas	Simon B. Lott	Adam Spahn
John Drescher	C. R. Luker	Ed. D. Stone
H. C. Duffy	Dr.J.N.M'Cormack	W. T. Stott
John C. Duffy	John McDyer	James T. Webb
William Duffy	W. T. McNally	W. M. Webb
Thomas J. Evans	T. T. Mobley	John F. White
M. J. Farris, Jr.	J. R. Mount	N. B. White
Vert C. Fraser	Harry J. Myers	J. D. Wills
Ed. Frost	John E. Newman	M. O. Wilson
John F. Fryer	C. B. Nichols	Roy S. Wilson
C. M. Gum	S. Mazyck O'Brien	Douglas G. Wood
E. V. Hall	Lyman J. Parrigin	
Elwood Hamilton	Lilburn Phelps	—70

Resolved, That the title thereof be as aforesaid.

Mr. Hays moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 47. An Act to chance the court calendar of the 13th Judicial District.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Act entitled "An Act to change the court calendar of the Thirteenth (13th) Judicial District," Approved March 18, 1908, be and the same is hereby repealed; and in lieu thereof, is enacted the following:

"Thirteenth Judicial District—

"Boyle County, at Danville, on the first Monday in January; on the Second Monday in April, and on the second Monday in September, and continue eighteen juridical days each.

"Mercer County, at Harrodsburg, on the fourth Monday in January, and the first Monday in May, and continue eighteen juridical days each; and on the first Monday in October, and continue twenty-four juridical days.

"Lincoln County, at Stanford, on the third Monday in February, and continue twelve juridical days; on the fourth Monday in May and first Monday in November, and continue eighteen juridical days.

"Garrard County, at Lancaster, on the first Monday in March; the third Monday in August, and the fourth Monday in November, and continue eighteen juridical days each."

§ 2. Whereas, it is necessary that the courts of the counties mentioned in this act be re-arranged to facilitate the transaction of business therein, and in order to prevent a conflict and confusion in the terms of said court; and whereas, the terms of the Garrard Circuit Court—being the only court one of whose terms is changed by this act—now held in June makes it very difficult to transact business without gross inconvenience and detriment to the farmers then necessarily busy in their crops, an emergency is declared to exist and

this act shall take effect and be in full force from and after its passage.

The Committee on Circuit Courts offered the following amendment to said bill:

That H. B. 47 be by the Committee so amended as to read, when amended "Boyle County, at Danville, on the first Monday in January, on the second Monday in April, and on the second Monday in September and continuing twenty-four juridical days each," and also to read when amended "Mercer County at Harrodsburg on the fourth Monday in January and the first Monday in May and the first Monday in October and continuing eighteen juridical days each.

Said amendment was agreed to.

Mr. Klette moved that said bill be recommitted to the Committee on Circuit Courts.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 199. An Act permitting struck juries to sit in civil cases and setting out manner of selection.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whenever a struck jury shall be deemed necessary by any party to a civil action, in any Circuit Court of this Commonwealth, for the trial of such civil cause, it shall be

lawful for either party to file with the clerk of such court, a demand for such jury; when it shall be the duty of such clerk to give four days' notice to both parties or to their attorneys of such time of striking the same. At the time designated the judge of such court, holding the key to the box containing the names of the persons selected by the jury commissioners for jury service in the county in which said Circuit Court is being held, shall attend the Circuit Clerk's office or other place in the court house of such county, and in the presence of all parties to the action or their authorized attorneys or representatives, if they desire to be present, having first well shaken the box, shall draw therefrom forty (40) names, and then the party requiring such jury, his agent or attorney, shall first strike off one of the names, and then the opposite party, his agent or attorney, another, and so on alternately until each shall have struck out twelve or such number as may be agreed upon by the parties to the action, their agent or attorneys. If either party shall not attend in person or by attorney it shall be the duty of the judge of said court to strike out for the party not attending. When each party shall have stricken out twelve names as aforesaid, the clerk shall make a fair copy of the names of the remaining sixteen persons, and shall immediately thereafter issue process directing the sheriff of the county to summon said sixteen persons as jurors struck for the trial of such cause, stating the day for which it is set for trial, and such sheriff shall thereupon summon them accordingly. The names of the persons so struck off shall be replaced in the jury box and shall be eligible for selection for jury service. But in all cases it shall be necessary to strike such jury at least five days previous to the day at which said case is set for trial on the docket and two days' service of the process by the sheriff shall be held sufficient. Any of the above conditions as to notice, time to strike and time in which to execute process, may be waived by the consent of all parties in interest in such cause. And upon the trial of the cause the jury so struck shall be called

as they stand upon the panel, and the first twelve of them who appear, and are not challenged for cause, or set aside by the court, shall be the jury, and shall be sworn to try the said issue: Privided, however, that if a jury is not for any cause secured from such panel, vacancies shall be filled from the regular petit jurymen: Provided, further, that as to persons selected from such petit jurymen, each party shall have the same rights of challenge peremptory and otherwise as is given by law in the selection of petit juries.

Mr. Greene offered the following amendment to said bill:

Amend H. B. 199 by inserting in line 5, the word "one" instead of "four" and in line 7 insert "jury wheel" instead of "box," and in line 9, after the word "held," insert "in term time."

In line 12 insert the words "jury wheel" instead of "the box."

In line 13 insert "forty-two (42)" instead of "forty (40)."

In line 16 and 17 strike out the following words: "Or such number as may be agreed upon by the parties to the action, their agent or attorneys," and in line 21, insert "eighteen" instead of "sixteen" and in line 23 insert the word "eighteen" instead of the word "sixteen" and in line 26 insert the word "wheel" instead of the word "box," in line 28 insert the word "two" instead of "five" and in line 29 insert the word "one" instead of "two."

Also, following the word "juries" at end of line 41, page 3, insert the following:

"Provided further, that in all civil cases wherein the amount in controversy is less than one thousand dollars ($1,000.00) the provisions of this act shall not apply," so that when said bill is so amended, it will read as follows:

That whenever a struck jury shall be deemed necessary by any party to a civil action, in any circuit court of Com-

monwealth, for the trial of such civil cause, it shall be lawful for either party to file with the clerk of such court a demand for such jury; when it shall be the duty of such clerk to give one day's notice to both parties or to their attorneys of such time of striking the same. At the time designated the judge of such court, holding the key to the jury wheel containing the names of the persons selected by the jury commissioners for jury service in the county in which said Circuit Court is being held in term time, shall attend the Circuit Clerk's office or other place in the court house of such county, and in the presence of all parties to the action or their authorized attorneys or representatives, if they desire to be present, having first well shaken jury wheel, shall draw therefrom forty-two (42) names and then the party requiring such jury, his agent or attorney, shall first strike off one of the names, and then the opposite party, his agent or attorney, another, and so on alternately until each shall have struck out twelve. If either party shall not attend in person or by attorney it shall be the duty of the judge of said court to strike out for the party not attending. When each party shall have stricken out twelve names as aforesaid, the clerk shall make a fair copy of the names of the remaining eighteen persons, and shall immediately thereafter issue process directing the sheriff of the county to summon said eighteen persons as jurors struck for the trial of such cause, stating the day for which it is set for trial and such sheriff shall thereupon summon them accordingly. The names of the persons so struck off shall be replaced in the jury wheel and shall be eligible for selection for jury service. But in all cases it shall be necessary to strike such jury at least two days previous to the day at which said case is set for trial on the docket and one day's service of the process by the sheriff shall be held sufficient. Any of the above conditions as to notice, time to strike and time in which to execute process, may be waived by the consent of all parties in interest in such cause. And upon the trial of the cause the jury so struck shall be called as they stand upon the panel,

and the first twelve of them who appear and are not challenged for cause, or set aside by the court, shall be the jury, and shall be sworn to try the said issue: Provided, however, that if a jury is not for any cause secured from such panel, vacancies shall be filled from the regular petit jurymen: Provided, further, that as to persons selected from such petit jurymen, each party shall have the same rights of challenge peremptory and otherwise as is given by law in the selection of petit juries. Provided, further, that in all civil causes wherein the amount in controversy is less than one thousand dollars ($1,000) the provisions of this act shall not apply.

Said amendment was agreed to.

Mr. W. M. Duffy offered the following amendment to said bill:

Amend by adding the following: "Provided, that the provisions of this act shall not apply to courts holding continuous session."

Said amendment was disagreed to.

Mr. J. T. Webb offered the following amendment to said bill:

Amend by adding the following: "Provided, that this bill shall not apply to counties that have in them cities of the fourth class."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	Dr. S. L. Henry	John A. Polin
Harry Avery	R.B.Hutchcraft,Jr.	J. D. Pumphrey
Henry C. Blades	T. R. Jones	Richard Radcliffe
C. W. Burton	John A. Judy	Dr. W. R. Ray
J. G. Coke, Jr.	Griffin Kelly	Stanley F. Reed
Benj. L. Cox	John H. Klette	W. E. Rogers
John W. Douglas	William J. Kuh	S. M. Saufley
John Drescher	Simon B. Lott	L. M. Smith
H. C. Duffy	C. R. Luker	W. T. Stott
John C. Duffy	John G. Miller, Jr.	Matt.S.Walton,Jr.
Thomas J. Evans	T. T. Mobley	N. B. White
John F. Fryer	J. R. Mount	J. D. Wills
Frank C. Greene	Harry J. Myers	Roy S. Wilson
Elwood Hamilton	John E. Newman	
W. L. Hampton	Lyman J. Parrigin	—43

Those who voted in the negative were—

Geo. B. Barrett	C. M. Gum	S. H. Rogers
Joseph Boitnott	H. H. Harrington	W. A. Shawler
Elmer L. Brown	J. B. Harvey	Adam Spahn
Glover H. Cary	H. H. Hays	Ed. D. Stone
Ed. F. Cecil	D. H. Hillman	James T. Webb
James R. Dorman	J. J. Huff	John F. White
William Duffy	W. T. McNally	M. O. Wilson
Odie Duncan	S. Mazyck O'Brien	Douglas G. Wood
Vert C. Fraser	William A. Perry	—26

Resolved, That the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said bill was passed be reconsiderd and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 320. An Act changing the times for the sessions of Circuit Courts of the 14th Judicial District.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That so much of Section 965 of Carroll's Kentucky Statutes of 1909 as relates to the Fourteenth Judicial District be and the same is hereby amended by striking out the words "and April" after the words "on the first Monday in January," and adding after the words "Franklin County at Frankfort, on the first Mondays in January and April, twenty-four juridical days each" the words "the first Monday in April, thirty juridical days," and striking out the word "eighteen" after the words "and second Monday in September," and substituting therefor the word "thirty-six."

By striking out after words "Woodford County, at Versailles, on the fourth Mondays in February" the words "and May," and striking out after the words "twelve juridical days" the word "each," and adding after said words "twelve juridical days" the words "first Monday in June, twelve juridical days," and by striking out the words "fourth Monday in October," and substituting therefor the words "third Monday in November," and by striking out the word "eighteen" following the said words "Monday in October," and substituting therefor the word "twelve." By striking out the words "May and October" following the words "Scott

County, at Georgetown, on the first Monday in February,'' and striking out the word ''each'' after the words ''eighteen juridical days'' and adding after said words ''eighteen juridical days'' the words ''second Monday in May, eighteen juridical days and fourth Monday in October eighteen juridical days.'' By striking out after the words ''Bourbon County, at Paris, on the second Monday in March'' the words ''and June, fourth Monday in November'' and after the words ''eighteen juridical days'' the word ''each,'' and adding after said words ''eighteen juridical days'' the words ''the third Monday in June 12 juridical days; and the first Monday after the November term in Woodford County, eighteen juridical days.''

So that said section as amended and re-enacted will read as follows:

''Franklin County, at Frankfort, on the first Monday in January, 24 juridical days; the first Monday in April, 30 juridical days, and second Monday in September, thirty-six juridical days.''

''Woodford County, at Versailles, on the fourth Monday in February, twelve juridical days; first Monday in June, twelve juridical days; third Monday in November, twelve juridical days.''

''Scott County, at Georgetown, on the first Monday in February, eighteen juridical days; second Monday in May, eighteen juridical days; and fourth Monday in October, eighteen juridical days.''

''Bourbon County, at Paris, on the second Monday in March, eighteen juridical days; the third Monday in June, twelve juridical days; and the first Monday after the November term in Woodford County, eighteen juridical days.''

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	W. L. Hampton	S. Mazyck O'Brien
Harry Avery	H. H. Harrington	A. W. Palmer
Geo. B. Barrett	J. B. Harvey	Lyman J. Parrigin
Henry C. Blades	H. H. Hays	Lilburn Phelps
Joseph Boitnott	W. E. Henninger	William A. Perry
Elmer L. Brown	Dr. S. L. Henry	John A. Polin
C. W. Burton	D. H. Hillman	J. D. Pumphrey
Glover H. Cary	J. J. Huff	Richard Radcliffe
Ed. F. Cecil	R.B.Hutchcraft,Jr.	Dr. W. R. Ray
J. G. Coke, Jr.	T. R. Jones	Stanley F. Reed
Benjamin L. Cox	John A. Judy	S. H. Rogers
James R. Dorman	Griffin Kelly	W. E. Rogers
John W. Douglas	John H. Klette	W. A. Shawler
John Drescher	William J. Kuh	L. M. Smith
H. C. Duffy	Simon B. Lott	Adam Spahn
William Duffy	C. R. Luker	Ed. D. Stone
Odie Duncan	Dr.J.N.M'Cormack	W. T. Stott
Thomas J. Evans	John McDyer	M. S. Walton, Jr.
M. J. Farris, Jr.	W. T. McNally	James T. Webb
Vert C. Fraser	John G. Miller, Jr.	W. M. Webb
Ed. Frost	T. T. Mobley	John F. White
John F. Fryer	J. R. Mount	N. B. White
Frank C. Greene	Harry J. Myers	J. D. Wills
E. V. Hall	John E. Newman	M. O. Wilson
Elwood Hamilton	C. B. Nichols	Roy S. Wilson

—75

Resolved, That the title thereof be as aforesaid.

Mr. Hamilton moved that the vote by which said bill was

passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 196. An Act to create and establish a system of public State roads and to provide for the construction and maintenance thereof.

Mr. McDyer moved that said bill be recommitted to the Committee on Public Roads and Highways, with leave to report at any time.

Mr. Walton moved to amend said motion by giving the House two days' notice.

Said motion as amended was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 183. An Act relating to the establishment, protecting and building of levees for the public benefit.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county judge of any county shall have the power at any regular session of the county court, where same shall be conducive to the public health, convenience or welfare or when same will be of public benefit or utility, to establish and aid in the construction, as herein provided, of any levee, along any river or water course, within or bounding said county.

§ 2. Before the county judge shall establish any levee there shall be filed with the county clerk of such county a petition signed by at least five landowners of said county, setting forth the necessity therefor, with a general description of the proposed starting point, route and terminus the names of the owners and tenants of lands, if known, and if not known it shall be so stated over which the proposed levee is to pass, and shall give bond with good and sufficient sureties, payable to the State, to be approved by the clerk, conditioned to pay all expense of establishing said levee, and the damages accruing to the owners and tenants of lands over which same passes. As soon as said petition is filed and said bond executed, said judge shall, if in regular session, or at his next regular session, appoint three impartial housekeepers of the county as commissioners to assess damages the owner or owners, or tenants, if any, may be entitled to receive, who shall be sworn to faithfully and impartially discharge their duties under the law; and who shall proceed at the time to be set in the order, with a surveyor, who shall be a civil engineer, and view out and make an accurate survey of the line of said proposed levee from its starting point to its terminus, marking and platting the route of same, by courses and distances, and ascertain the amount of land required for the purpose of erecting said levee, at the various points along its line, not exceeding, however, one thousand feet in width at any point; the name and residence of the owners and tenants of same, whether same are infants, of unsound mind or married women; assess what will be a just compensation to each owner and tenant, if any, for the land required and sought to be appropriated for the establishment of said levee, the damages, if any, to the residue of the tracts beyond the consequential benefits which will be derived to such residue from the levee. If a person has only an estate for life or years in such land and remainder in fee belongs to another, the commissioners shall apportion the damages between them. All of which said commissioners shall

report in writing signed by them to the court, together with a map or diagram of the proposed route of levee, and report also whether or not the proposed levee will be conducive to the public health, convenience or welfare, or whether the same will be of public benefit or utility, and in case the commissioners, and the proposed levee not of public benefit or utility as above stated, they shall so report, and in which case their report need only state that they find the proposed levee not of public benefit or utility in any way.

§ 3. Upon the report of the commissioners on an application to establish a levee, if favorable to same, the court shall issue process against all the owners and tenants of land over which said report shows the proposed levee to pass, who have not filed in said court relinquishment of the right of way for same over their lands, to show cause why the said report should not be confirmed, and shall make such orders as to non-residents and persons under disability, as required by the Civil Code of Practice in actions against them in circuit court.

§ 4. At the first regular term of the county court after the owners and tenants shall have been summoned the length of time prescribed by the Civil Code of Practice before an answer is required, no exception being filed to said report by any party, it shall be the duty of the court, from the report and other evidence, if any, to determine whether the levee shall be established as recommended by the commissioners.

§ 5. When exceptions shall be filed by either party, the court shall, unless the parties agree that the court may try such issue, forthwith cause a jury to be impaneled to try the issues of fact made by the exceptions, and each juror shall be allowed one dollar per day for his services, to be taxed as cost. In assessing the compensation and damages the jury shall be governed by the rule prescribed in section 2 of this act. If sufficient cause be not shown for setting aside the verdict, the court shall, upon the report, verdict and other evidence if any, determine whether the levee shall be established as recommended in said report.

§ 6. If the court decide that the said proposed levee be established, he shall cause an order to be entered upon the records of said court, and a copy of same to be issued and directed to the applicants and petitioners, upon condition they pay the cost of procedure and all sums required to be paid to the owners and tenants of lands taken, said levee be established by them as reported.

§ 7. The party aggrieved may, within thirty days by executing bond as required in other cases, prosecute an appeal to the circuit court of the county, from the decision of the county court, ordering a levee established, or refusing such order, and the appeal shall be tried de novo, and from the decision of the circuit court either party may prosecute an appeal to the Court of Appeals, and the latter court shall have jurisdiction only of matters of law arising on the record of such cases.

§ 8. The county judge shall, when he establishes a levee appoint five resident land-owners of the vicinity of said levee to be known and designated as the levee commissioners of said county, whose duty it shall be to superintend the construction, care and protection of said levee when built, who shall serve as said levee commissioners for the term of four years or until their successors are appointed and the county judge shall every four years thereafter appoint levee commissioners for said county for like qualifications, and fill any vacancies in said levee board occasioned by death, removal or other cause.

§ 9. Said levee commissioners shall superintend and see that all levees are properly constructed and cared for, that convenient crossings of said levees are made at the intersection of all public roads for the traveling public and at such private crossings as said commissioners may from time to time establish. That at any time said commissioners may deem said levee in peril or danger of being damaged or destroyed after being built, by reason of wind or high water, they shall, after giving six hours' notice to all male persons

between the ages of eighteen and fifty years residing within the territory protected by said levee, require them to assemble at a point to be designated by said commissioners, and aid and labor in the repairs and protecting of said levee, for which service they shall be paid by the commissioners at the rate of one dollar and fifty cents ($1.50) per day. And any person liable to work on said levee under the provision of this section, who shall fail to do so after being notified shall be fined for each day he shall so fail the sum of five dollars, to be recovered by warrant issued and tried by any court of competent jurisdiction of said county.

§ 10. It shall be unlawful for any person to ride a horse or drive any vehicle along or across any public levee, except at the crossing of public roads or such private crossing as the levee commissioners may have established, and any one so offending shall be found guilty of a trespass and for each offense fined not less than ten dollars nor more than fifty dollars.

§ 11. Any one who shall wilfully and feloniously cut, damage, destroy or attempt to cut, damage or destroy any public levee shall be deemed guilty of a felony, and for each offense confined in the State penitentiary for not less than one nor more than five years.

§ 12. It shall be unlawful for any person to suffer or permit any hogs owned by them to run at large on any public levee, and any one so offending shall be found guilty of trespass and for each offense fined not less than five or more than ten dollars, and any hogs found running at large on said levee may be empounded by the levee commissioners, and held for five days, and unless within that time the owner of said hogs, shall pay to said commissioners the penalty above described, said hogs may be sold by said commissioners for the benefit of said levee.

§ 13. Said commissioners shall, for the purpose of building or repairing of the levees for which they are commissioners, have the power to levy and have collected an annual

tax on all property situated within the territory protected by said levee of not exceeding 50 cents (fifty cents) on the one hundred dollars said property to be assessed, and the tax collected by the county assessor and sheriff, in the same manner and time and subject to the same requirements, as in the assessing and collecting the county revenue, same when collected to be paid over by the sheriff to the Treasurer of the levee commissioners, which, together with the proceeds of all fines assessed and collected under the provisions of this act, shall be used by said commissioners in the building or repairing of their levees.

§ 14. The board of levee commissioners appointed is hereby declared a body-politic and corporate under the name and style of Board of Levee Commissioners with perpetual succession, and by that name may contract and be contracted with, sue and be sued and have and use a corporate seal, with power to renew and alter the same at pleasure and in said corporate name is empowered to do and carry out all and everything authorized by this act, or the law with reference to public levees.

§ 15. The levee commissioners shall upon their appointment and qualification elect a president from its members for the term of four years, and may prescribe who shall preside in his absence, and make all necessary rules prescribing the duties of the presiding officer and the government of itself. Said board shall also elect a secretary and treasurer, for a term of four years, which office may be filled by the same person. It shall be the duty of the secretary to keep a record of the proceedings of all regular and special meetings of said board and perform such other duties as the board may prescribe. The treasurer shall receive and keep a distinct account of all moneys belonging unto said board of levee commissioners and pay out the same upon the orders of the board, and perform such other duties with reference thereto, as the board may prescribe.

§ 16. That said board of levee commissioners is hereby

authorized and empowered to enter upon, take and hold any lands or premises whatever, whether by purchase, donation, devise or otherwise, that may be necessary and proper for the location, construction, reconstruction, enlarging, extending, repairing and maintaining of its line of levee, as well as for the cutting of ditches, for the purpose of relieving the levees and the lands adjacent thereto, enlarged by sipe and rain water, and said board shall have the right to cut and remove trees, timbers and other material that may by falling or otherwise encumber or endanger said levees or any part thereof. In case the owners of said land or premises cannot agree with said board of levee commissioners, as to the value of the premises taken for the use of said board, for the purpose of locating, constructing, reconstructing, repairing, enlarging, extending and maintaining its line of levee, or digging ditches or taking material for any of the purposes above mentioned, the value thereof shall be determined, and it is empowered to proceed in its corporate name for the condemnation of the same as is provided for by sections 835 to 840, inclusive, of the Kentucky Statutes, with reference to railroads, and it is given all the power and remedies as is therein provided.

§ 17. That said board of levee commissioners is authorized and empowered to treat, contract and negotiate with any river commission or agency of the United States government for the purpose of securing the construction, reconstruction, repair, enlargement, extension or maintenance of said levee, or the aid, assistance or co-operation of said river commission or other agencies in the construction, repair, reconstruction, enlargement, extension or maintenance of such levee, or building new loops or any part thereof, and to this end said board of levee commissioners may turn over to said river commission or other agencies the use and control of any part of its line of levee, or of the whole, and may place its officers, servants and agencies or funds at the disposal of and under the control and direction of said river commission or other

agencies, which it may take in charge and superintend and contract for levee building, and the building of the same, and shall have full power and authority to enter into any and all arrangements, contracts and agreements with such river commissions and other agencies of the United States government, as will secure the construction, reconstruction, repair, enlargement, extension and maintenance of levees by said river commissions and other agencies through its co-operation in such construction and protection.

§ 18. That in cases where levee districts have been heretofore established, under the laws in force in the State of Kentucky, or hereafter established under this act, a lien shall exist for the cost of the establishment, construction, reconstruction, repair, enlargement, extension and maintenance of such levee against the land situated within the territory protected by such levee, superior to all other liens except taxes due the State, County municipality or taxing district in which same may be located, the board of levee commissioners in addition to the collection of the ad valorem tax provided for, in section thirteen of this act, shall for such purpose, have the power and it is authorized and empowered to make an assessment against such land of not exceeding fifty cents per acre per annum, which assessment shall be collected by the sheriff or tax collector of the county, in the same way and manner and at the same time as is provided for the collection of said ad valorum tax, and same shall be paid over and accounted for by said sheriff and tax collector, as he accounts for said ad valorem tax. The said sheriff and tax collector and said board of levee commissioners are given all the power and remedies for the collection of said assessments, as is now given by law for the collection of State and county taxes, together with the same rights and remedies to enforce the liens existing for the same. It shall be the duty of the secretary of the said board of levee commissioners, when the tax lists are furnished to said sheriff and tax collector, for the collection of the ad valorum tax, to also deliver to him a list of all

persons owning land in such levee district protected by such levee, together with the number of acres owned by each and description thereof and amount of assessment against each.

§ 19. That for the purpose of establishing, constructing, reconstructing, repairing, enlarging and maintaining such levees the said board of levee commissioners, shall have the power and it is authorized to borrow money in such an amount as is necessary and issue, negotiate and sell its bonds in such sums and denominations of not less than one hundred dollars or more than one thousand dollars each, as said board may prescribe, which bonds shall each be signed by the president and countersigned by the secretary of said board, with corporate seal affixed and shall be made payable to the person or persons to whom sold, or bearer or bearer simply, at the discretion of the board, and shall bear a rate of interest not exceeding 6 per cent per annum, payable annually or semi-annually, at such time and place as the board may prescribe and contract, said board shall fix the place for the payment of principal and interest of said bonds. The said bonds shall be redeemable by the said board of levee commissioners at any time within twenty years after the date of their issue, or it may redeem any of said bonds at such time or times within the said twenty years, as may be stated in said bond or bonds. Said bonds shall not be sold for less than par and accrued interest at the time of sale.

§ 20. For the purpose of paying the interest on the bonds herein authorized to be issued under this act and for the redemption of said bonds at they mature or become due, and to create a sinking fund sufficient to pay off said bonds and interest at maturity, the said board of levee commissioners are authorized and empowered and it is made their duty to annually make an assessment against the lands embraced in said levee district and protected by such levee, of not exceeding fifty cents per acre per annum, which assessment shall be collected and accounted for in all respects, as provided for in section eighteen of this act, and all the rights

and remedies are given for its collection as conferred by said section eighteen, provided, however, that the assessment provided for in section eighteen and under this section shall not exceed in the aggregate fifty cents per acre per annum. It shall be the duty of said board of levee commissioners in making the assessment herein authorized to specify what part of the same is for the payment of the interest and redemption of said bonds and for the creation of a sinking fund for the payment of such bonds and interest at their maturity, and the treasurer of said board of levee commissioners shall keep said fund separate and apart from the other revenue of said board, and same shall be used and kept only for this purpose, except it shall be loaned by said commissioners, at the best rate of interest obtainable upon good and solvent securities, the interest collected to be and become a part of said sinking fund and so held. The lien herein provided for shall be superior on said lands for the payment of the interest and principal of said bonds, over that of the assessment for other purposes, and superior to all other liens except for State, county, municipal or district taxation. The lien provided for herein shall continue with and remain on said land until the maturity and payment in full of said bonds and interest, in the hands of purchaser, transferee or subsequent owner of the same.

§ 21. The treasurer of said board of levee commissioners shall before he enters upon the performance of his duties execute bond in such an amount as the board of levee commissioner may fix, which bond shall equal twice the amount that may come into his hands under the provisions of this act, and conditioned for the faithful performance of his duties and to safely keep an account of all money in his hands or held by him. The board of levee commissioners shall have the power to fix salaries for its officers and members in such amounts as it deems reasonable and provide for the payment of any and all other employees of said board.

§ 22. The provisions of this act shall be liberally con-

strued, so as to carry into effect the true intent and meaning thereof and promote the protection of overflow lands. If any part of this act shall be declared illegal it shall not affect the remaining part thereof. The question of the levy of the ad valorum tax or the assessment made against the lands, shall not be defeated on account of any irregularity in the proceedings, which does not affect the substantial rights of the party complaining.

§ 23. All levy districts heretofore established and now existing under the laws of the State of Kentucky, shall continue and remain with all the powers and rights as conferred by this act, and nothing herein shall affect rights acquired by them as such, but they shall be invested with the additional power, herein conferred, and commissioners and officers now serving under appointment heretofore made under said laws, shall continue and remain in office until their successors have been appointed and qualified, as provided in this act.

§ 24. All laws and parts of laws in conflict with this act are hereby repealed.

§ 25. Whereas, many sections of the State of Kentucky are in immediate need of levee protection and are without sufficient funds under the present law to construct and rebuild such levees and the general health, comfort, convenience and welfare of many sections of the State is dependent upon such provisions. Therefore an emergency is hereby declared to exist and this act shall take effect and be in full force from and after its approval by the Governor.

Mr. Wm. Duffy offered the following amendment to said bill:

Amend Section 23a by adding: "Provided, that nothing in this act shall apply to counties having a population of two hundred thousand or more."

Said amendment was agreed to.

Mr. Phelps offered the following amendment to said bill:

Amend H. B. 183 by adding at the end thereof, "This Act shall apply only to the enlargement, repair and reconstruction of levees already in existence."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those voting in the affirmative were—

Peter Ampler	John F. Fryer	Simon B. Lott
Harry Avery	C. M. Gum	Dr.J.N.M'Cormack
Henry C. Blades	E. V. Hall	W. T. McNally
Joseph Boitnott	Elwood Hamilton	T. T. Mobley
Elmer L. Brown	W. L. Hampton	J. R. Mount
A. T. Bryson	H. H. Harrington	Harry J. Myers
C. W. Burton	J. B. Harvey	John E. Newman
Ed. F. Cecil	H. H. Hays	C. B. Nichols
J. G. Coke, Jr.	Dr. S. L. Henry	S. Mazyck O'Brien
Benj. L. Cox	D. H. Hillman	A. W. Palmer
John W. Douglas	J. J. Huff	Lyman J. Parrigin
John Drescher	R.B.Hutchcraft,Jr.	Lilburn Phelps
William Duffy	T. R. Jones	William A. Perry
Odie Duncan	John A. Judy	John A. Polin
M. J. Farris, Jr.	Griffin Kelly	Dr. T. J. Poteet
Vert C. Fraser	John H. Klette	J. D. Pumphrey
Ed. Frost	William J. Kuh	Richard Radcliffe

Dr. W. R. Ray	Ed. D. Stone	J. D. Wills
S. H. Rogers	W. T. Stott	M. O. Wilson
W. E. Rogers	James T. Webb	Roy S. Wilson
W. A. Shawler	W. M. Webb	Douglas G. Wood
L. M. Smith	John F. White	
Adam Spahn	N. B. White	—67

Resolved, That the title thereof be as aforesaid.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 76. An Act to amend an Act entitled, "An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof," which act became a law March 5, 1912.

Mr. Evans moved that said bill be recommitted to the Committee on Suffrage and Election.

Said motion was disagreed to.

Mr. Saufley moved that this House do now adjourn.

Said motion was agreed to.

WEDNESDAY, FEBRUARY 18, 1914.

The House was opened with prayer by the Rev. John J. Gravatt of the Episcopal Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon the call of the counties for the introduction of bills the following bills were introduced, ordered printed and referred as follows:

By Mr. Judy:

H. B. 528. An Act to amend Section 656, Chapter 32, Article IV, Sub-Division II, of the Kentucky Statutes, relating to life insurance.

To Committee on Insurance, Life and Accident.

By Mr. Kelly:

H. B. 529. An Act to establish a budget system for State officers, departments and institutions.

To Committee on Appropriations.

By Mr. Lott:

H. B. 530. An Act to repeal an act entitled, "An Act declaring Blackford Creek a navigable stream."

To Committee on Internal Improvements.

By Mr. Klette:

H. B. 531. An Act to amend Section 619 of the Civil Code of Practice, being an act in reference to Court Costs.

To Committee on Civil Code Practices.

By Mr. Klette:

H. B. 532. An Act to amend Section 328 of the Kentucky Statutes, the same being an act pertaining to failure of parents to support minor child, and fixing the penalty therefor.

To Committee on Kentucky Statutes.

By Mr. O'Brien:

H. B. 533. An Act to amend Chapter 142 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 19, 1912, entitled, "An Act to provide for the organization, armament, equipment, discipline and government of the militia."

To Committee on Military Affairs.

By Mr. Ampler:

H. B. 534. An Act to amend Section 4220 and Subsection, styled "Peddlers' License—Lightning Rods and Patent Rights," of Section 4224, Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Saufley:

H. B. 535. An Act to repeal Section 388 of the Kentucky Statutes, Carroll's 1909 Edition, and to provide for record books for county and Circuit Court Clerks.

To Committee on Printing.

By Mr. Saufley:

H. B. 536. An Act to repeal Section 3956 Kentucky Statutes; classifying and authorizing contracts to be made for public printing in lieu thereof.

To Committee on Printing.

By Mr. Dorman:

H. B. 537. An Act to amend Section 1333 of Chapter 36 of the Kentucky Statutes, Carroll's 1909 Edition.

To Committee on Agriculture.

By Mr. Shawler:

H. B. 538. An Act to amend the Constitution of the Commonwealth of Kentucky by striking out Sections 29, 30, 31, 32, 33, 35, 36, 37, 38, 40 and 41 thereof, and in lieu thereof said Sections creating the legislative department of the government, so that it will be composed of twenty-five members.

Mr. Nichols moved to call from the Clerk's desk for adoption, the following joint resolution:

Resolution, requesting Kentucky's Representatives in Congress to secure an appropriation by Congress for constructing and equipping a suitable building for a permanent United States Weather Bureau Station at Lexington, Kentucky, in connection with the State University, and authorizing the trustees of the State University to donate the necessary grounds for such building to the United States Government.

Whereas, The existence and maintenance, at Lexington, Kentucky, of the United States Weather Bureau Station has proved to be of great benefit and service to a vast number of farmers, fruit growers, truck growers, wholesale fruit dealers, and other large interests in this State and such persons have come to rely and depend upon said bureau for information concerning weather conditions; and

Whereas, Said station as now operated in connection with the State University of Kentucky, is rapidly becoming of greater importance because of its free instructional feature to the students of said university and has practically become a department of said university, although not such in fact; and

Whereas, The quarters now occupied by said station, now furnished gratuitously by the State University, are inadequate; and the said University proposes to donate to the United States Government the necessary grounds if the government will construct a building for the accommodation of a Weather Bureau Station; now therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it is the sense of the General Assembly of the Commonwealth of Kentucky that the maintenance and operation of a permanent United States Weather Bureau Station in connection with the State University at Lexington, Kentucky, is of great importance and will be of great benefit to the State.

§ 2. That the Kentucky Representatives in Congress be and they are hereby requested and urged to use their influence in securing, at the earliest possible date, an appropriation by Congress for constructing and equipping a suitable building for a permanent United States Weather Bureau Station at Lexington, Kentucky, in connection with or near the State University.

§ 3. In the event an appropriation is made by Congress for the purposes set out in Section 2 of this resolution, the Trustees of the State University of Kentucky are hereby authorized, empowered and directed to cede and donate to the United States Government a sufficient quantity of ground, now owned, or which may be acquired, by said State University, with all necessary right of ingress and egress from the same, to be used for a building for such United States Weather Bureau Station, reserving, however, over the land thus donated, the right of State and municipal police regulation.

Said resolution was concurred in.

Mr. W. M. Webb called from the Clerk's desk, and moved the adoption of a resolution entitled:

H. Res. 22. Resolution requesting the action of the members of Congress from Kentucky in favor of a bill pensioning indigent militia soldiers, who served in the Civil War, and providing pensions for their widows, minor children and dependent parents.

The yeas and nays being demanded on the adoption of said resolution, by Messrs. W. M. Webb and Douglas, were as follows, viz.:

Those who voted in the affirmative were—

Wallace Bailey	J. B. Harvey	Lilburn Phelps
Joseph Boitnott	J. J. Huff	W. A. Price
A. T. Bryson	J. C. Lay	W. M. Webb
W. N. Flippin	Simon B. Lott	N. B. White
Vert C. Fraser	C. R. Luker	M. O. Wilson
C. M. Gum	John McDyer	Douglas G. Wood

—18

Those who voted in the negative were—

Peter Ampler	Frank C. Greene	S. Mazyck O'Brien
Henry C. Blades	E. V. Hall	A. W. Palmer
Elmer L. Brown	Elwood Hamilton	John A. Polin
C. W. Burton	H. H. Harrington	Richard Radcliffe
Glover H. Cary	H. H. Hays	Dr. W. R. Ray
J. G. Coke, Jr.	Dr. S. L. Henry	Stanley F. Reed
Benjamin L. Cox	R.B.Hutchcraft,Jr.	S. H. Rogers
James R. Dorman	John A. Judy	W. E. Rogers
John W. Douglas	Griffin Kelly	S. M. Saufley
John Drescher	John H. Klette	W. A. Shawler
H. C. Duffy	William J. Kuh	L. M. Smith
William Duffy	Dr.J.N.M'Cormack	W. T. Stott
Odie Duncan	W. T. McNally	N. C. Tilford
Thomas J. Evans	J. R. Mount	M. S. Walton, Jr.
M. J. Farris, Jr.	Harry J. Myers	James T. Webb
Ed. Frost	John E. Newman	J. D. Wills
John F. Fryer	C. B. Nichols	Roy S. Wilson

—51

And so said resolution was disagreed to.

(For said resolution see Journal of Feb. 16th.)

Mr. Hutchcraft offered the following resolution:

Resolved, That at 2:00 o'clock this afternoon the House go into Committee of the Whole and that Hon. J. W. Newman, Commissioner of Agriculture, Labor and Statistics be invited to address said committee upon the subject of Revenue and Taxation.

Mr. H. J. Myers offered the following amendment to said resolution:

Amend, by inviting also Noel Gaines, each to speak not longer than one hour, on subject of the Revenue Bill.

Said amendment was agreed to.

Said resolution, as amended, was adopted.

Mr. Walton called up from the Clerk's desk, and moved the adoption of a resolution entitled:

H. Res. 24. Resolution providing for the appointment of a Commission for the preparation of a Public Utility Bill for action by the next General Assembly.

(For said Resolution see Journal of Feb. 16th.)

Mr. Cary moved the previous question.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Joseph Boitnott	Elwood Hamilton	Lyman J. Parrigin
Elmer L. Brown	J. B. Harvey	Lilburn Phelps
J. G. Coke, Jr.	H. H. Hays	Stanley F. Reed
James R. Dorman	D. H. Hillman	S. M. Saufley
John W. Douglas	R.B.Hutchcraft,Jr.	L. M. Smith
John Drescher	W. T. McNally	M. S. Walton, Jr.
John C. Duffy	T. T. Mobley	W. M. Webb
William Duffy	John E. Newman	N. B. White
Vert C. Fraser	S. Mazyck O'Brien	M. O. Wilson

—27

Those who voted in the negative were—

Peter Ampler	H. H. Harrington	William A. Perry
Harry Avery	W. E. Henninger	J. D. Pumphrey
C. W. Burton	Dr. S. L. Henry	Richard Radcliffe
Glover H. Cary	T. R. Jones	Dr. W. R. Ray
Benj. L. Cox	Griffin Kelly	S. H. Rogers
H. C. Duffy	John H. Klette	W. E. Rogers
Odie Duncan	William J. Kuh	W. A. Shawler
Thomas J. Evans	J. C. Lay	Ed. D. Stone
M. J. Farris, Jr.	Simon B. Lott	W. T. Stott
Ed. Frost	C. R. Luker	N. C. Tilford
John F. Fryer	John McDyer	James T. Webb
Frank C. Greene	J. R. Mount	John F. White
C. M. Gum	Harry J. Myers	J. D. Wills
E. V. Hall	Zach L. Myers	Roy S. Wilson
W. L. Hampton	A. W. Palmer	Douglas G. Wood

—45

And so said resolution was disagreed to.

Mr. H. J. Myers moved that the vote by which said resolution was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Duncan offered the following resolution:

Resolution to ascertain the amount of revenue derived from alcoholic liquors during the year 1913.

Whereas, Many bills are pending before this House having for their object the restriction or prevention of the sale of alcoholic liquors; and,

Whereas, the passage and approval of such bills will materially affect the revenues of the State, and make it necessary to levy an additional tax to supply the deficiency in revenue caused thereby; now, therefore,

Be it resolved by the House of Representatives:

1. That the Auditor of the State be requested to furnish to this House the amount of income of the State, for the fiscal year ending July 31st, 1913, derived from license permitting the manufacture or sale of alcoholic liquors; the ad valorum tax thereon, and any other income therefrom not specifically mentioned herein, excluding the tax on real estate, machinery, etc., used in the manufacture, sale or storage of same.

2. That in the event of the destruction of these sources of income, what rate of taxation, on the basis of the assessment of 1913, would be necessary to raise an equal amount of revenue.

Mr. Douglas moved that said resolution be tabled.

Said motion was disagreed to.

Mr. Huff offered the following amendment to said resolution:

Amend by requiring the Auditor to report also the amount paid out for the trial of felony cases in this State.

Said amendment was disagreed to.

The yeas and nays being required on the adoption of said resolution, by Messrs. Douglas and Mobley, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Geo. B. Barrett	C. W. Burton
Harry Avery	Joseph Boitnott	Ed. F. Cecil
Wallace Bailey	Elmer L. Brown	John Drescher
Jas. W. Barrall	A. T. Bryson	H. C. Duffy

William Duffy	William J. Kuh	John A. Polin
Odie Duncan	J. C. Lay	W. A. Price
Thomas J. Evans	C. R. Luker	Richard Radcliffe
M. J. Farris, Jr.	W. T. McNally	W. A. Shawler
W. N. Flippin	Harry J. Myers	Ed. D. Stone
John F. Fryer	Zach. L. Myers	W. T. Stott
C. M. Gum	John E. Newman	N. C. Tilford
E. V. Hall	S. Mazyck O'Brien	Matt.S.Walton,Jr.
J. B. Harvey	Lyman J. Parrigin	James T. Webb
John A. Judy	Lilburn Phelps	Roy S. Wilson
John H. Klette	William A. Perry	Douglas G. Wood

—45

Those who voted in the negative were—

Henry C. Blades	J. J. Huff	Dr. W. R. Ray
J. G. Coke, Jr.	R.B.Hutchcraft,Jr.	S. H. Rogers
Benj. L. Cox	T. R. Jones	S. M. Saufley
John W. Douglas	Griffin Kelly	L. M. Smith
Elwood Hamilton	Simon B. Lott	W. M. Webb
W. L. Hampton	John McDyer	John F. White
H. H. Harrington	T. T. Mobley	N. B. White
H. H. Hays	J. R. Mount	J. D. Wills
W. E. Henninger	A. W. Palmer	M. O. Wilson
Dr. S. L. Henry	Dr. T. J. Poteet	
D. H. Hillman	J. D. Pumphrey	

—31

And so said resolution was adopted.

Mr. H. J. Myers moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of 11:00 o'clock having arrived, the special order for that hour was taken up for consideration, viz.:

H. B. 132. An Act to amend an Act entitled "An Act defining public roads, providing for their establishment, regulating and construction and use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof."

Mr. Douglas moved that said bill be recommitted to the Committee on Public Roads and Highways, with leave to report upon twenty-four hours' notice.

Said motion was agreed to.

Mr. Phelps moved that the committee's substitute for said bill and all pending amendments offered to said bill and substitute be printed.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills of the following titles:

S. B. 145. An Act amending Section 965 Kentucky Statutes, Carroll's Edition 1909, changing the time of the holding of Circuit Court in the 29th Judicial District as to Casey County.

Ordered that said bill be referred to the Committee on Circuit Courts.

S. B. 148. An Act concerning illiteracy in the State of Kentucky and to provide for the creation of a commission to be known as "The Kentucky Illiteracy Commission," and to provide for the duties and powers thereof.

Ordered that said bill be referred to Committee on Education No. 1.

A message was received from the Senate, announcing that they had concurred in a bill which originated in the House, entitled:

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in the performance of public duties required of them by law and providing for the payment thereof.

Mr. Perry called up from the Clerk's desk and moved the adoption of a resolution entitled:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the official publication of this General Assembly and to purchase copies of same for the members of the General Assembly and certain officials.

Whereas, It is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and

Whereas, There is a publication under the editorship and management of competent and experienced persons, known as "The Legislative Digest," the purpose of which is to fully advise from day to day the officials and public of the Commonwealth as to all matters affecting them in an intelligent, useful and prompt manner; therefore, be it resolved, by the Senate of Kentucky, the House of Representatives concurring, that the purpose of the Legislative Digest be approved and the same be adopted as the official publication for this General Assembly; that the publishers are hereby directed to furnish daily a copy to each member and Chief Clerk of the General Assembly and to the heads of each State Department; that the publishers are allowed the sum of Ten Dollars ($10.00) for each subscription for the session, and the Auditor of Public Accounts is directed to draw

his warrant upon the Treasurer for said amount when such service has been concluded.

Mr. Roy S. Wilson moved to suspend the rules and that said resolution be adopted.

Said motion to suspend the rules was agreed to.

The yeas and nays being taken on the adoption of said resolution, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	Elwood Hamilton	A. W. Palmer
Harry Avery	W. L. Hampton	Lyman J. Parrigin
Wallace Bailey	H. H. Harrington	Lilburn Phelps
Jas. W. Barrall	J. B. Harvey	William A. Perry
Geo. B. Barrett	H. H. Hays	John A. Polin
Henry C. Blades	Dr. S. L. Henry	Dr. T. J. Poteet
Joseph Boitnott	D. H. Hillman	W. A. Price
Elmer L. Brown	J. J. Huff	J. D. Pumphrey
A. T. Bryson	R.B.Hutchcraft,Jr.	Stanley F. Reed
C. W. Burton	T. R. Jones	S. H. Rogers
Glover H. Cary	John A. Judy	W. E. Rogers
Ed. F. Cecil	Griffin Kelly	S. M. Saufley
J. G. Coke, Jr.	John H. Klette	W. A. Shawler
Benj. L. Cox	William J. Kuh	L. M. Smith
James R. Dorman	J. C. Lay	Adam Spahn
John W. Douglas	Simon B. Lott	N. C. Tilford
John Drescher	C. R. Luker	Matt.S.Walton,Jr.
H. C. Duffy	Dr.J.N.M'Cormack	James T. Webb
William Duffy	John McDyer	W. M. Webb
W. N. Flippin	W. T. McNally	John F. White
Vert C. Fraser	T. T. Mobley	N. B. White
Ed. Frost	Harry J. Myers	M. O. Wilson
Frank C. Greene	Zach. L. Myers	Roy S. Wilson
C. M. Gum	John E. Newman	
E. V. Hall	S. Mazyck O'Brien	—73

Those who voted in the negative were—

J. R. Mount Ed. D. Stone J. D. Wills

—3

And so said resolution was adopted.

Mr. Perry moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Evans offered the following joint resolution:

Whereas, Samuel Turley, a member of the House of Representatives at the present session, has deceased, and whereas, said Turley left surviving him, a widow and children, and whereas, said widow and children need the per diem said Turley would have drawn had he lived, and whereas, it has been the custom heretofore, for the General Assembly to allow deceased members' families to draw the allowance of said members; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the State Treasury the sum of $753.60 to be paid to Mrs. Ida Turley, widow of Samuel Turley, and the Auditor is hereby directed to draw his warrant upon the Treasurer for said amount in favor of said widow.

Ordered that said resolution lie on the Clerk's desk.

The Speaker laid before the House the following communication:

The Honorable James T. Webb, member from the

County of Graves, having tendered to me in writing, his resignation as a member of the Committee on Suffrage and Election, which resignation is hereby accepted, and by virtue of the power vested in me by the Rules of this House, I hereby appoint the Honorable John A. Judy, member from the counties of Menifee and Montgomery, ranking member on the Committee of Suffrage and Election, to fill said vacancy.

CLAUDE B. TERRELL,
Speaker of the House of Representatives.

The Speaker laid before the House the following communication:

The gentleman from Bourbon tendered his resignation in writing, as a member of the Committee on Redistricting, Judicial, and the gentleman from Jefferson tendered his resignation, in writing, as a member of the Committee on Public Ditches and Fences, and the member from the City of Lexington tendered his resignation in writing, as a member of the Committee on Corporate Institutions, and the member from Bath tendered his resignation, in writing, as a member of the Committee on State University and Normal Schools, and the member from Mason tendered his resignation, in writing, as a member of the Committee on Federal Relations, each of which resignations are hereby accepted, and by virtue of the power vested in me under the Rules of this House, I hereby appoint to fill the vacancy on each of the above named Committees, the Honorable A. T. Bryson, member-elect from the County of Greenup.

CLAUDE B. TERRELL,
Speaker of the House of Representatives.

The Speaker laid before the House the following communication:

Middlesboro, Ky., Feb. 16, 1914.

The General Assembly,
Frankfort, Kentucky.

Gentlemen:

The undersigned being practicing physicians of the State of Kentucky, respectfully urge that House Bill No. 277 and Senate Bill No. 183, be defeated. We urge further that no amendments to same be considered, as these bills, we feel, are an injustice to our profession, making it possible for drug stores to be operated by incompetent parties.

We respectfully urge you to use all influence possible to defeat this bill.

Respectfully,

JACOB SCHULTZ, M. D.,
C. K. BROTHER,
J. W. FITZPATRICK,
L. L. ROBERTSON,
T. H. CURD,
LEWIS J. JONES,
J. R. TINSLEY,
J. T. EVANS,
H. P. PETRIE,
N. B. BRUNNETT,
T. T. GIBSON,
THOS. BELL.

Mr. Barrett called from the Clerk's desk, and moved the adoption of a resolution:

S. Res. 17. Joint Resolution to move the bust of Abraham Lincoln to Library at Louisville.

Whereas, A bust of Abraham Lincoln was presented to and accepted by the State of Kentucky, and whereas since such gift was made the Lincoln Statue has been presented

to the State and whereas the donor of said bust desires that it be given to the Trustees of the Louisville Free Library, Louisville, Kentucky; therefore,

Be it resolved, That the Governor be and he is hereby authorized to present the aforesaid bust to the Trustees of the Louisville Free Public Library, Louisville, Kentucky.

Said resolution was concurred in.

A message was received from the Governor, announcing that he had approved and signed H. Res. 21, wihch originated in the House, of the following title:

Resolution inviting Hon. Dorsey W. Shackelford to address joint session of the House and Senate, Monday, February 16, one thousand nine hundred fourteen at 4:00 o'clock P. M.

On account of sickness at his home, the House granted Mr. McDyer an indefinite leave of absence.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, Resolution of the following title, viz.:

H. Res. 18. Resolution highly commending and endorsing President Woodrow Wilson and Congress for the untiring efforts put forth in enacting into law much needed legislation.

Whereupon all other business was suspended, said Resolution was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said Resolution.

Ordered that the Enrolling Clerk deliver said Resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled Resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled Resolution which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Douglas moved that the Committees be now called for reports of bills.

Said motion was agreed to.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Drescher, of the Committee on County and City Courts:

H. B. 494. An Act to amend and re-enact Article 1, Chapter 52 of the Kentucky Statutes, Edition of 1909, being Sections 1833 to 1851 inclusive, entitled, "Fiscal Courts" as amended by an Act entitled "An Act to amend Section 1850 of the Kentucky Statutes, Edition of 1909," being Chapter 116 of the Acts of 1910.

By Mr. Saufley, of the Committee on Appropriations:

H. B. 365. An Act for the benefit of Bernard Wells.

By Mr. Price, of the Committee on Codes of Practice:

H. B. 299. An Act to amend Section 73 of the Civil Code of Practice.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 33. An Act to amend Section 1162 Kentucky Statutes.

By Same:

H. B. 458. An Act making the unlawful, wilful and unreasonable neglect to provide for the support of a minor child, who is actually or apparently under the age of fourteen years, a felony.

By Mr. Douglas, of the Committee on Education No. 2:

H. B. 450. An Act to prohibit the representative of any book company furnishing books used in educational institutions supplied in whole or in part by money appropriated out of the State Treasury from holding the position of trustee or members of the Board of Regents of any such institution.

By Mr. Duncan, of the Committee on Immigration and Labor:

H. B. 220. An Act to regulate the labor and employment of children and minors and to make the provisions thereof effective.

With amendments thereto.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 296. An Act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infant, idiot or lunatic for mining purposes.

With an amendment thereto by way of substitute therefor.

By Same:

H. B. 350. An Act permitting courts to require witnesses to execute bond for their appearance at the time of trial.

By Same:

H. B. 383. An Act relating to provisions in contracts giving to engineers, architects and other persons the power to make final awards and appraisement; and to prevent the ousting of the jurisdiction of the courts by reason of such provisions.

With an amendment thereto by way of substitute therefor.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

Mr. Ray moved that the session be extended until the call of committees for reports is completed.

Said motion was agreed to.

The Committee to which the same had been referred reported a bill of the following title:

By Mr. Harrington, of the Committee on Federal Relations:

H. B. 480. An Act to exempt moneys received from the United States Government and the Commonwealth of Kentucky by citizens as pensions.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given a first reading, the report of the Committee to the contrary notwithstanding. Which question was decided in the negative, and so said bill was refused a reading.

Mr. Klette moved that the rules be suspended and that he be permitted to introduce a bill.

Said motion was disagreed to.

The hour of 12:30 having arrived, the House recessed until 2:00 o'clock P. M.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

In accordance with a resolution heretofore adopted, in the House this day, the House went into the Committee of the Whole on the State of the Commonwealth for the purpose of hearing Messrs. J. W. Newman and Noel Gaines discuss the subject of taxation in Kentucky.

The Speaker designated Mr. Coke as Chairman of the Committee of the Whole.

After a time, and at the conclusion of said addresses Mr. Coke moved that the Committee of the Whole do now arise.

Said motion was agreed to.

Thereupon, Mr. Speaker Terrell, resumed the Chair.

A message was received from the Senate, announcing that they had passed bills of the following titles:

S. B. 84. An Act to amend and re-enact Section 579 and Section 584 Kentucky Statutes, Carroll's Edition, 1909, so that the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

Ordered that said bill be referred to the Committee on Banks and Banking.

S. B. 115. An Act regarding the running at large of chickens, ducks or other fowls in the Cities of the First Class.

Ordered that said bill be referred to the Committee on Municipalities.

S. B. 164. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

Ordered that said bill be referred to the Committee on Public Health.

A message was received from the Senate announcing that they had adopted a joint resolution of the following title:

S. Res. 21. Joint Resolution concerning the Preservation of Public Historical Records.

Ordered that said resolution lie on the Clerk's desk.

A message was received from the Senate announcing that they had passed a bill which originated in the House, of the following title:

H. B. 145. An Act to amend and re-enact Section 3713, 3714, Chapter 89, Carroll's Kentucky Statutes, being part of Article 8, of said Chapter, entitled: "Creation and Organization of Towns," approved July 3, 1893.

Mr. Hamilton moved that this House do now adjourn.

Said motion was agreed to.

THURSDAY, FEBRUARY 19, 1914.

The House was opened with prayer by the Rev. Roger T. Nooe, of the Christian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows:

By Mr. Rogers:

H. B. 539. An Act to repeal an Act entitled "An Act

granting pensions to indigent and disabled Confederate soldiers and widows of Confederate soldiers."

To the Committee on Confederate Homes.

By Mr. Hall:

H. B. 540. An Act to amend sections 3 and 5 of an Act entitled "An Act to provide for the enforced attendance of children in the common schools of this Commonwealth," which became a law March 15, 1912.

To Committee on Education No. 1.

By Mr. Tilford:

H. B. 541. Special Act granting pension to Martha Little, of Grayson County, Kentucky.

To Committee on Kentucky Statutes.

By Mr. Smith:

H. B. 542. An Act to regulate the liability of common carriers in the carrying of live stock of this State.

To Committee on Kentucky Statutes.

By Mr. Duffy:

H. B. 543. An Act to amend Section 170 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Lay:

H. B. 544. An Act to amend the Fish and Game Law.

To Committee on Fish and Game.

By Mr. Kleete:

H. B. 545. An Act to amend Sub-section 27 of Section 3058 of the Kentucky Statutes.

To Committee on Public Utilities.

By Mr. Flippin:

H. B. 546. An Act regulating the proceeding in prosecutions charging the illegal sale, barter or loan of spirituous, vinous or malt liquors, and making it unlawful for any judge or prosecuting attorney to dismiss or compromise such prosecution and prescribing punishment for the violation thereof.

To Committee on Circuit Courts.

By Mr. Flippin:

H. B. 547. An Act relating to officers of Cities of the Fourth Class.

To Committee on Cities of the Fourth Class.

By Mr. Flippin:

H. B. 548. An Act to amend Section 815, Ky. Statutes.

To Committee on Judiciary.

By Mr. Walton:

H. B. 549. An Act to amend and re-enact Sections 19, 23 and 24 of an Act approved March 21, 1910, and published as Chapter 50 of the Acts of 1910, and entitled: "An Act to amend an Act entitled, "An Act for the government of cities of the second class in the Commonwealth of Kentucky,'" which was approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said act and amendments now appear as Article 3, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909.

To Committee on Municipalities.

Mr. Miller moved that H. B. 221 be set down for special order at 11:00 o'clock a. m. Tuesday, February 24, 1914.

Said motion was disagreed to.

Mr. McCormack moved that H. B. 387 be taken from the orders of the day and recommitted to the Committee on Public Health, with leave to report at any time, upon two days' notice to the House.

Said motion was agreed to.

A message was received from the Senate, announcing that they had passed bills which originated in that body of the following titles:

S. B. 52. An Act to prevent the sending, exhibiting, posting or circulating of letters, circulars, posters, written or printed, in pamphlet form or otherwise, false accusations against another person and prescribing the punishment for the same.

Ordered that said bill be referred to the Committee on Judiciary.

S. B. 199. An Act relating to the sale and use of tobacco and cigarettes, and providing punishment for violations thereof.

Ordered that said bill be referred to the Committee on Kentucky Statutes.

A message was received from the Senate, extending an invitation to the House of Representatives to visit the Senate Chamber this day at 3:00 p. m., to hear an address to be delivered by Miss Sophia Nesbitt Breckinridge on Woman Suffrage.

Ordered that said invitation be accepted.

The Committees to which the same had been referred reported bills of the following titles, viz.:

Mr. Mobley moved that the Committee on Agriculture report H. B. 23.

Said motion was agreed to.

By Mr. Farris, of the Committee on Agriculture:

H. B. 23. An Act to repeal Chapter 10, Session Acts 1906, and to provide for a dog tax.

With the expression of opinion that same ought not to pass.

The question being stated, "Shall the bill be given a first reading, the report of the Committee to the contrary notwithstanding," and the yeas and nays being required thereon by Messrs. Mobley and Hall, were as follows:

Those who voted in the affirmative were—

Peter Ampler	W. L. Hampton	Lilburn Phelps
Harry Avery	J. B. Harvey	William A. Perry
Wallace Bailey	H. H. Hays	J. D. Pumphrey
Joseph Boitnott	W. E. Henninger	Richard Radcliffe
A. T. Bryson	Dr. S. L. Henry	W. A. Shawler
Glover H. Cary	D. H. Hillman	Adam Spahn
Ed. F. Cecil	J. J. Huff	Ed. D. Stone
J. G. Coke, Jr.	T. R. Jones	W. T. Stott
John Drescher	John H. Klette	N. C. Tilford
William Duffy	J. C. Lay	James T. Webb
Odie Duncan	Simon B. Lott	W. M. Webb
Thomas J. Evans	C. R. Luker	N. B. White
W. N. Flippin	T. T. Mobley	J. D. Wills
Vert C. Fraser	J. R. Mount	M. O. Wilson
Frank C. Greene	Harry J. Myers	Douglas G. Wood
C. M. Gum	John E. Newman	
E. V. Hall	Lyman J. Parrigin	—49

Those who voted in the negative were—

Jas. W. Barrall	Elwood Hamilton	A. W. Palmer
Henry C. Blades	H. H. Harrington	John A. Polin
Elmer L. Brown	R.B.Hutchcraft,Jr.	Dr. T. J. Poteet
C. W. Burton	John A. Judy	Dr. W. R. Ray
James R. Dorman	Griffin Kelly	S. H. Rogers
John W. Douglas	William J. Kuh	W. E. Rogers
H. C. Duffy	Dr.J.N.M'Cormack	S. M. Saufley
M. J. Farris, Jr.	Zach. L. Myers	L. M. Smith
Ed. Frost	C. B. Nichols	Matt.S.Walton,Jr.
John F. Fryer	S. Mazyck O'Brien	John F. White
		—30

And so said bill was ordered to a first reading and placed on the calendar.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 423. An Act concerning gypsies or other like vagrants.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 464. An Act compelling grantor to put in every deed conveying real estate, the full consideration or purchase price and prescribing penalties for failure so to do.

By same:

H. B. 422. An Act to amend an Act entitled "An Act to provide for the re-organization, maintenance and supervision of common schools in the town of Catlettsburg and vicinity."

By Mr. O'Brien, of the Committee on Municipalities:

H. B. 119. An Act to define the rights and duties of cities of the first class, in case where said city has heretofore or will hereafter annex new territory.

With an amendment thereto.

By same:

H. B. 447. An Act relating to Fiscal Courts in counties in this Commonwealth in which there is located a city of the first class.

By same:

H. B. 318. An Act to further amend and re-enact Section 3100 of the Kentucky Statutes relating to the improvement of streets in cities of the second class.

By Same:

H. B. 235. An Act to amend an Act entitled "An Act creating Boards of Education for cities of the second class, providing for the election thereof, defining their powers and duties and repealing all laws in conflict therewith."

By same:

H. B. 422. An Act to amend an Act entitled "An Act to provide for the re-organization, maintenance and supervision of common schools in the town of Catlettsburg and vicinity."

By Mr. O'Brien, of the Committee on Municipalities:

H. B. 119. An Act to define the rights and duties of cities of the first class, in case where said city has heretofore or will hereafter annex new territory.

With an amendment thereto.

By same:

H. B. 447. An Act relating to Fiscal Courts in counties in this Commonwealth in which there is located a city of the first class.

By same:

H. B. 318. An Act to further amend and re-enact section 3100, of the Kentucky Statutes, relating to the improvement of streets in cities of the second class.

By same:

H. B. 235. An Act to amend an Act entitled "An Act creating Boards of Education for cities of the second class, providing for the election thereof, defining their powers and duties and repealing all laws in conflict therewith."

By same:

H. B. 236. An Act authorizing Boards of Education in cities of the second class to create a fund for protection against fire and other casualties.

By same:

H. B. 250. An Act to promote physical education in schools of the cities of the first and second class.

By same:

H. B. 405. An Act to further amend and re-enact Section 3096, of Kentucky Statutes, relating to cities of the second class.

By same:

H. B. 510. An Act to amend Section 69 of an Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893, relating to public ways.

By same:

H. B. 329. An Act to amend that part of an Act entitled "An Act for the government of cities of the first class," which act relates to Revenue and Taxation.

By same:

S. B. 77. An Act to amend an Act entitled "An Act for the government of cities of the third class in the Commonwealth of Kentucky," which was approved June 14, 1893, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as Art. 4 of Chapter 89 of the Ky. Statutes in John D. Carroll's Edition thereof, in 1909.

By same:

H. B. 473. An Act to amend and re-enact Section 3096, of the Kentucky Statutes, relating to the improvement of streets, public ways, grounds and sidewalks in cities of the second class.

By same:

H. B. 527. An Act to amend and re-enact Sec. 3105, of Carroll's Statutes of Kentucky, relating to the construction of sewers and the collection of the tax therefor by the city treasurer in cities of the second class.

By Mr. Newman, of the Committee on Public Roads and Highways:

H. B. 242. An Act to regulate license and govern use of motor vehicles.

With an amendment thereto.

By Mr. Kelly, of the Committee on Public Ditches and Fences:

H. B. 151. An Act amending Section 31 of an Act approved March 19, 1912, relating to the drainage of lands, the establishment and construction of public levees, ditches and

drains, and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks or non-navigable streams, prescribing the methods of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating boards of drainage commissioners, and prescribing the duties and providing for the payment of officers and employees having duties to perform hereunder.

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

H. B. 501. An Act concerning the trial and punishment of persons indicted for a felony or misdemeanor.

With an amendment thereto.

By same:

H. B. 502. An Act authorizing the parole of persons confined in the State Penitentiary, the State Reformatory, the House of Reform and other penal institutions that are now, or may hereafter be under the supervision and control of the Board of Prison Commissioners; and authorizing the appointment of employment agents and a clerk of said board.

With an amendment thereto.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 456. An Act permitting the users or consumers of natural or artificial gas to enjoin persons, firms or corporations engaged in selling and furnishing gas for consumption, from cutting off or failing to furnish said gas, when such users or consumers fail to pay the gas charge or charges, when in said users' or consumers' opinion same are excessive or incorrect.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

S. B. 17. An Act to regulate the payment of certain appropriations.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Shawler, of the Committee on Public Monuments and Historical Records:

H. B. 357. An Act to reduce the annual appropriation of the State Historical Society.

With amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By same:

H. B. 276. An Act appropriating $125 for the repairs of property of the Commonwealth of Kentucky.

By Mr. McCormack, of the Committee on Education No. 1:

H. B. 455. An Act to require boards of trustees of the public schools in the Commonwealth of Kentucky to supply to each of such schools an American flag and to provide for its raising over such schools each school day in the year and to provide penalties for the violations of this act.

By same:

H. B. 459. An Act to amend an act entitled "An Act to amend Chapter 113, Article VIa, Carroll's Kentucky Statutes, 1909, Districts, Trustees, Teachers, Taxation," approved March 11, 1912.

By Mr. Farris, of the Committee on Agriculture:

H. B. 78. An Act to amend and re-enact Sections 1 and 2 of Chapter 10 of the Acts of 1906, and to repeal Sections 64, 65, 66, 67 and 68 of the Kentucky Statutes, Edition of 1909, edited by John D. Carroll, relating to the tax on dogs.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 475. An Act to establish a Ky. Vice Commission, providing its duties and for the lessening of vice in the State of Kentucky.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

Mr. Walton moved that the Committee on Railroads, to which same had been referred, report H. B. 180.

Said motion was agreed to.

By Mr. Mount, of the Committee on Railroads:

H. B. 180. An Act to promote the safety of travelers, shippers and employees upon railroads, by compelling the proper manning of trains by common carriers.

With the expression of opinion that same should not pass.

The question being stated, "Shall said bill be given a first

reading, the report of the Committee to the contrary notwithstanding," and the yeas and nays being required thereon by Messrs. Walton and Kleete, were as follows, viz.:

Those who voted in the affirmative were—

Harry Avery	H. H. Hays	Richard Radcliffe
J. G. Coke, Jr.	W. E. Henninger	Dr. W. R. Ray
Benj. L. Cox	Dr. S. L. Henry	Stanley F. Reed
John C. Duffy	D. H. Hillman	W. A. Shawler
Odie Duncan	R.B.Hutchcraft,Jr.	Ed. D. Stone
W. N. Flippin	T. R. Jones	W. T. Stott
Frank C. Greene	John H. Klette	N. C. Tilford
E. V. Hall	C. R. Luker	M. S. Walton, Jr.
Elwood Hamilton	John G. Miller, Jr.	N. B. White
W. L. Hampton	Lyman J. Parrigin	J. D. Wills
J. B. Harvey	W. A. Price	M. O. Wilson

—33

Those who voted in the negative were—

Peter Ampler	Ed. Frost	John E. Newman
Jas. W. Barrall	C. M. Gum	C. B. Nichols
Geo. B. Barrett	H. H. Harrington	S. Mazyck O'Brien
C. W. Burton	J. J. Huff	William A. Perry
Glover H. Cary	John A. Judy	John A. Polin
Ed. F. Cecil	Griffin Kelly	Dr. T. J. Poteet
James R. Dorman	William J. Kuh	S. H. Rogers
John W. Douglas	Simon B. Lott	W. E. Rogers
John Drescher	Dr.J.N.M'Cormack	S. M. Saufley
H. C. Duffy	W. T. McNally	Adam Spahn
William Duffy	T. T. Mobley	James T. Webb
Thomas J. Evans	J. R. Mount	W. M. Webb
M. J. Farris, Jr.	Harry J. Myers	John F. White
Vert C. Fraser	Zach. L. Myers	

—41

And so said bill was refused a reading.

Mr. Harry J. Meyers moved that the vote by which said

bill was refused a reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Evans moved that the rules be suspended and that H. Res. 25 be called up from the Clerk's desk for adoption.

The yeas and nays being taken on the motion to suspend the rules and the adoption of said resolution, in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Peter Ampler	John F. Fryer	William J. Kuh
Wallace Bailey	Frank C. Greene	T. T. Mobley
Geo. B. Barrett	E. V. Hall	Harry J. Myers
Joseph Boitnott	Elwood Hamilton	John E. Newman
A. T. Bryson	H. H. Harrington	S. Mazyck O'Brien
Ed. F. Cecil	H. H. Hays	William A. Perry
James R. Dorman	Dr. S. L. Henry	John A. Polin
William Duffy	J. J. Huff	J. D. Pumphrey
Thomas J. Evans	John A. Judy	Adam Spahn
Ed. Frost	Griffin Kelly	N. C. Tilford

—30

Those who voted in the negative were—

Jas. W. Barrall	W. L. Hampton	J. R. Mount
Henry C. Blades	J. B. Harvey	A. W. Palmer
J. G. Coke, Jr.	W. E. Henninger	Lyman J. Parrigin
Benj. L. Cox	D. H. Hillman	Dr. T. J. Poteet
John W. Douglas	T. R. Jones	Dr. W. R. Ray
H. C. Duffy	John H. Klette	S. H. Rogers
John C. Duffy	J. C. Lay	W. E. Rogers
W. N. Flippin	Simon B. Lott	S. M. Saufley
Vert C. Fraser	Dr.J.N.M'Cormack	W. A. Shawler
C. M. Gum	John G. Miller, Jr.	L. M. Smith

Ed. D. Stone	James T. Webb	N. B. White	
W. T. Stott	W. M. Webb	J. D. Wills	
Matt.S.Walton,Jr.	John F. White		—38

And so said resolution was disagreed to.

Mr. Cary moved to reconsider the vote, by which said resolution was rejected.

Mr. Mount moved to lay said motion on the table.

Said motion to lay on the table was disagreed to.

Said motion to reconsider vote by which said resolution was rejected, was agreed to.

Mr. Cary moved to refer said resolution 25 to the Committee on Appropriations.

Said motion was agreed to.

The House took up for consideration the unfinished business from February 17th, a bill entitled:

H. B. 76. An Act to amend an Act entitled, "An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof," which Act became a law March 5, 1912.

Mr. Hamilton moved to reconsider the vote by which the previous question was heretofore ordered.

Said motion was agreed to.

Mr. Hamilton moved to reconsider the vote by which Mr. Cary's amendment to said bill was adopted.

Said motion was agreed to.

By the unanimous consent of the House, Mr. Cary was permitted to withdraw his amendment offered to said bill.

Mr. Walton indicated the hour of 12:30 and moved that this House do now recess until 2:00 o'clock p. m.

Said motion was agreed to.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

Mr. Mount, having suggested the death of the sister of Mr. Wills, a member of this House, Mr. Wills was granted an indefinite leave of absence.

The House took up for consideration the unfinished business from the morning session of today, a bill entitled:

H. B. 76. An Act to amend an act entitled, "An Act to provide for the nomination of candidates by political parties at primary elections and for placing the names of condidates on the ballots to be voted for a general elections and prescribing penalties for the violation thereof," which act became a law March 5, 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sub-section 2 of Section 1 of said Act, which reads as follows:

"Section 2. By certificates of nomination signed and filed as herein provided.

"The provisions of this act shall not apply to candidates for trustees of Common Schools or members of School Boards where such nomination and election are required by law to be made by a separate ballot nor to trustees in towns of the fifth and sixth classes nor to candidates for Presidential Electors, but such candidates for such offices shall be nominated and have their nominations certified as now, or may hereafter, provided by law. This act shall not be construed to repeal or effect in any way an Act entitled, 'An Act to amend an act entitled, "An Act for the Government of Cities of the second class in the Commonwealth of Kentucky," ' approved March 21, 1910, Chapter 50, Acts 1910."

be and the same is now amended by striking from said section the words, "where such nomination and election are required by law to be made by a separate ballot," and that same be re-enacted as amended, and when so amended and re-enacted, shall read as follows:

"2. By certificates of nomination signed and filed as herein provided.

"The provisions of this Act shall not apply to candidates for Trustees of Common Schools or members of School Boards nor to trustees in towns of the fifth and sixth classes nor to candidates for Presidential Electors, but such candidates for such offices shall be nominated and have their nominations certified as now, or may be hereafter, provided by law. This Act shall not be construed to repeal or affect in any way an Act entitled, 'An Act to amend an act entitled, "An Act for the Government of Cities of the second class in the Commonwealth of Kentucky",' approved March 21, 1910, Chapter 50, Acts 1910."

That Section 2 of said Act, which reads as follows:

§ 2. That Section 2 of said Act, which reads as follows:

"2. UNITED STATES SENATORS.—Party candidates for the office of United States Senator shall be nominated by a preference vote in the manner provided herein for the nomination of other party condidates for the State at large. Candidates for the party nomination for United States Senator shall be voted for at the primary election held next before their election. In any case, where, through a vacancy, a United States Senator is to be elected for an unexpired term, party candidates for said office shall be nominated at the last primary preceding the election at which said unexpired term is to be filed, provided that said vacancy occurred 70 days before said primary election, and not otherwise. If under this section two candidates for the office of United States Senator are to be nominated by each party at the same primary election, candidates for the full term shall be grouped together, and candidates for the unexpired term shall be grouped together on the party ballots under appropriate headings. Party candidates for nomination for United States Senator shall have their returns canvassed in the same way as other party candidates for offices for the State at large, and they shall be entitled to have issued to them by the State Canvassing Board, or State Board of Election Commissioners, certificates of nomination to the successful candidate or candidates of each political party, which certificates of nomination shall be filed with the Secretary of State and shall become a public record in this office; and the Secretary of State shall on the first Tuesday in January next, after such certificates of nomination of party candidates for the office of United States Senator have been filed in his office, report the same to each House of the General Assembly separately as soon as each of said Houses have organized. The candidate receiving the highest number of votes in a primary nominating election for the office for which he is a candidate shall be declared the nominee of his political party for such office, and he shall be entitled

immediately to receive his certificate of nomination when such fact is ascertained."

be repealed, stricken from the Act, and held for naught.

§ 3. That Section 4 of said Act, which reads as follows:

"4. UNEXPIRED TERMS.—Candidates for unexpired terms to be filled at the November election shall be nominated at the primary next preceding such November election; Provided, that such vacancy occurred not less than seventy days before the day on which the next primary is to be held. But if such vacancy occurred less than seventy days before the primary election, the nomination shall be made in such manner as may be determined by the governing authority of the political parties."

Shall be and the same is hereby amended by adding to said section after the word, "parties" therein, the following:

"In the preparation of ballots hereinafter provided for, candidates for full terms shall be grouped together and candidates for unexpired terms shall be grouped together on the party ballots, under appropriate headings, so that the voter may easily distinguish the candidates for full terms and the candidates for unexpired terms."

So that said section, when amended, and re-enacted, shall read as follows:

"4. UNEXPIRED TERMS.—Candidates for unexpired terms to be filled at the November election shall be nominated at the primary next preceding such November election. Provided, That such vacancy occurred not less than seventy days before the day on which the next primary is to be held. But if such vacancy occurred less than seventy days before the primary election, the nomination shall be made in such manner as may be determined by the governing authority of the political parties. In the preparation of ballots hereinafter provided for, candidates for full terms shall be grouped together, and candidates for unexpired terms shall be grouped together on the party ballots, under appropriate headings, so

that the voter may easily distinguish the candidates for full terms from the candidates for unexpired terms."

§ 4. That Section 5 of said Act, which reads as follows:

"5. PARTIES REQUIRED TO NOMINATE IN THE PRIMARY.—A political party within the meaning of this act is an affiliation or organization of electors representing a political policy and having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for, cast at least twenty per cent of the total vote cast at said election in this State. And such political party shall nominate all of its candidates for elective offices to be voted for at the next succeeding general election at the primary election herein provided for, and not otherwise: Provided, That when a vacancy occurs after any nomination by death or otherwise the governing authority of such party may provide for filling such vacancies and making such nominations. And when such nominations have been so made the certificates of nomination shall be signed by the chairman and secretary of the governing authority of the party making the same, and shall be filed in the same manner as certificates of nomination at a primary nominating election: Provided, however, That where a political party has before the passage and approval of this act made a nomination or nominations of candidates to be voted for at the November election in 1912, then no nominations by such parties for offices shall be made in the primary election held under this act in the year 1912: And, provided further, That where a political party has before the passage and approval of this act made a call under its party law for a primary election or convention for the nomination or nominations of its candidate or candidates to be voted for at the November election in 1912, then a nomination or nominations by such parties for such offices shall not be made in the primary election held under this act in the year 1912."

be and the same is hereby amended by striking therefrom the following language:

"PROVIDED, HOWEVER, That where a political party has before the passage and approval of this act made a nomination or nominations of candidates to be voted for at the November election in 1912, then no nominations by such parties for such offices shall be made in the primary election held under this act in the year 1912; And provided further, That where a political party has before the passage and approval of this Act made a call under its party law for a primary election or convention for the nomination or nominations of its candidate or candidates to be voted for at the November election in 1912, then a nomination or nominations by such parties for such offices shall not be made in the primary election held under this Act in the year 1912." -

so that said section as amended and re-enacted shall be and read as follows:

"5. PARTIES REQUIRED TO NOMINATE IN THE PRIMARY.—A political party within the meaning of this act is an affiliation or organization of electors representing a political policy and having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for, cast at least twenty per cent of the total vote cast at said election in this State. And such political party shall nominate all of its candidates for elective offices to be voted for at the next succeeding general election at the primary election herein provided for, and not otherwise."

§ 5. That section 6 of said Act, which reads as follows:

"6. NOMINATION PAPERS.—Any qualified elector who files his petition and the nominating petition of electors as hereinafter provided, and is a member of a political party subject to the provisions of this Act, shall have his name printed on the official nominating ballot of his party as a candidate for nomination for any office at any primary election held under the provisions of this Act. Said petition shall state the name, age, postoffice address, political affiliations, and

all other legal qualifications of the candidate, and shall be in substantially the following form:

'To ..... (Address of the officer with whom the petition is to be filed), and to the members of the ..... party of ..... (State, county, district, city or town, or as the case may be).

'I, ..., reside at .....,
and my postoffice address is ..... (give State, county, postoffice, street and number, or rural route). I am a member of the ..... political party and affiliated with it and supported its nominees at the last regular election, and I am ..... years of age and possess all the other legal qualifications necessary to entitle me to hold the office of ..... (here state the name of the office for which he desires to be voted), to-wit: .....
..... (here state all additional legal qualifications required for holding said office). If I am nominated for said office of ..... at the primary election to be held on the first Saturday in August next, I will accept the nomination and will not withdraw, and, if elected, I will qualify as such officer.

'Dated at ..... on this, the .....
day of ..... 19.....'

Every candidate before a primary election held under this Act shall also file, or there shall be filed in his behalf, a nomination paper as herein provided, and the name of no candidate shall be printed on any ballot to be used at such primary election unless said nomination papers shall have been so filed. Said nomination papers shall in substantially the following form:

'We, the undersigned, qualified electors of precinct ....., ward ..... (to be altered to suit the precinct or ward concerned) county of .....,
State of Kentucky, and members of the .....

party, hereby nominate .....,
who resides at No..... street, city of
....., county of ....., State
of Kentucky (or as nearly as the address can be given), as a candidate for the office of .... (here specify office), at the primary to be held on the first Saturday in August, 19———, as representing the principles of said party; and we declare that we intend to support the candidate herein named.

IN CITIES.

Name of Voter	Street	Number	Date of Signing

All nomination papers shall have substantially the above form written or printed at the top thereof. No signatures shall be counted unless they be upon sheets each having this form written at the top thereof.

Each signer of a nomination paper shall sign but one such paper for the same office, except in cases where more than one office of the same kind are to be filled by the same voter at the same election, in which case a voter may sign for as many candidates as there are offices to be filled, and for no more. Each signer of a nomination paper shall declare that he intends to support the candidate named therein. He shall add his resdence and street number, if any, and the date of signing. No nomination paper shall be circulated prior to 60 days before the date by which such paper is required to be

filed, and no signature shall be counted unless it has been affixed to such nomination paper and bears date within sixty days prior to the time for filing same.

For all nominations as many sheets as necessary may be used for each precinct, but for offices to be filled wholly by the voters of one county or a part thereof, all signers of each separate sheet shall reside in the same precinct, and all sheets, containing signatures from one precinct, shall be placed together before filing the nomination paper. For all offices to be filed by the electors of more than one county, all signatures on each separate sheet shall be residents of the same county, but not necessarily of the same precinct, and the form at the top of the sheets in a nominating paper for such offices shall read: 'We, the undersigned, qualified electors of .... county,' etc. All sheets containing signatures from one county shall be placed together before filing the nomination paper.

No person who is not a qualified elector, and a member of a party making its nominations under the provisions of this Act, and who is not registered, if he lives in a precinct where registration is required, shall be qualified to join in signing any nominating petition; and no person shall sign any nominating petition of any candidate in any political party other than that of which such signer is a member, and with which he is registered, if he resides in a precinct where registration is required. Signatures contrary to the foregoing provisions shall not be counted."

be and the same is hereby repealed, and that there be and there now is enacted in lieu thereof, the following:

"Any qualified elector who is a member of a party within the meaning of this Act, and who has affiliated with and supported the nominees of the party at whose hands he seeks the nomination, as defined elsewhere in this Act, shall have his name printed on the official ballot of his party for any office to which he is eligible in any primary held under the provisions of this Act, upon filing with the proper officer at the

proper time, a notification and declaration, which notification and declaration shall be in the following form, and shall be filled in as to all the requirements therein contained, and the declaration therein shall be subscribed and sworn to by the person making same, before any officer qualified to administer an oath:

Said notification and declaration shall be in the following form:

NOTIFICATION AND DECLARATION

OF .....

FOR NOMINATION TO THE OFFICE

To .....

(County Court Clerk or Secretary of State, as case may be).

Commonwealth of Kentucky,

..... County

For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the (name of party) ..... party, as its candidate for the office of (name of office) ..... I, ... (name in full as desired on the ballot) do solemnly swear (or affirm), that I reside at No. ..... Street, in the City of .....,County of ....., State of Kentucky, and that I am a registered ..... (party) voter in ..... precinct, City of .....; that I believe in the principles of said ..... (name of party) party, and intended to support its principles and policies, and vote for its nominees at the coming general election, and that I have affiliated with such party and that I supported its nominees at the last general election, or was prevented from doing so by reason of ..... (state reason here); that if nominated as a candidate of said ..... party at the said ensuing election, I will accept such nomination and

not withdraw; that I will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if finally elected, I will qualify for said office.

.....

(Signature of Candidate)

Subscribed and sworn to before .....

(Signature of Officer.)

this ..... day of ....., 19..... .....

(Title of Officer)

The said candidate shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the same party to which the applicant belongs, which affidavit shall be in the following form, and filled out so as to meet all requirements indicated therein.

Commonwealth of Kentucky,

..... County.

We, ..., and ..... do solemnly swear (or affirm), that we are qualified electors and members of the ..... (name of party) party, and have affiliated with said party, and supported its nominees at the last general election; that we are residents and legal voters of the City of ..... County of ....., State of Kentucky; that we are personally acquainted with ....., who files the hereto attached notification and declaration, and we know him to be a discreet citizen, and a member of the ..... party, and that to the best of our knowledge and belief, he has affiliated with and supported said party as defined in the primary election law; that he is a resident of the City, County and State set out in his notification and declaration, and we believe him to be qualified to fill the office of .....

.....

.....

(Signatures of Affiants.)

Subscribed and sworn to before me by..... and ..... this ..... day of ....., 19.....

.....

(Signature of Officer).

.....

(Title of Officer).

Said application and declaration, and the accompanying affidavits may be on the same or separate sheets, but shall be filed together and at the same time, and when so filed with the proper officer, it shall be the duty of said officer, upon the candidate's compliance with the requirements of this Act as to payment of fees as elsewhere provided, to have printed the applicant's name on the ballot according to the primary election law, under the penalties provided therein."

§ 6. That section 8 of said Act, which reads as follows:

"8. NUMBER OF SIGNATURES.—For officers to be voted for by the electors of one county or a portion thereof, said nomination paper shall be signed by at least three per cent and by not more than ten per cent of the total vote of the party of the candidate in the city, county or district in which he seeks to be elected. For officers to be voted for by the electors of a district comprising more than one county and less than the entire State, said nomination paper shall be signed by at least two per cent and by not more than ten per cent of the vote of the party in each of at least one-half of the counties in such district: Provided, That for the office of Railroad Commissioner such nomination paper shall be required to have said percentage of signatures in only one-fourth of the counties in a railroad district. For officers to be voted for by the electors of the entire State, said nominating paper shall be signed by not less than two per cent and by not more than ten per cent of the vote of the party of such candidate in each of at least ten counties in the State."

shall be and the same is hereby repealed, and stricken out of said Act.

§ 7. That section 9 of said Act which reads as follows:

'9. BASIS OF PERCENTAGE.—The basis of percentage in estimating the number of signatures required upon nominating papers shall be the highest vote of any candidate of the party for elector at the last election for President."

shall be and the same is hereby repealed and stricken from the Act, and the following is enacted and inserted in lieu thereof:

"9. BASIS OF PERCENTAGE.—Immediately after the expiration of the time for filing applications and declarations for places on the ballot, if it should appear that there is only one candidate who has filed the necessary papers for place on the ballot of any party on whose ballot he is entitled to have his name printed, the officer with whom such papers are filed shall issue to such candidate a certificate of nomination, which shall have the same force and effect as the certificate of nomination, provided herein to be issued by the canvassing officers."

§ 8. That the first paragraph of section 17 of said Act, which reads as follows:

"17. BALLOTS AND BALLOT BOXES.—There shall be a separate ballot for each political party subject to this Act, at the primary election provided for herein. Such ballots shall be printed in substantially the same manner as now provided by law in case of regular elections, except that on the back thereof shall be printed the words, 'Official Primary Ballot,' and at the head thereof shall be printed the words, 'Official Primary Ballot,' together with proper party name and the party emblem. The party emblem in each case shall be the same as that used at the last preceding regular election, unless sixty days before the primary election the proper party authority certify a different emblem to the Secretary of State, in which event he shall certify the new emblem to the County Clerks as herein provided."

shall be and the same is hereby amended by changing the

period after the word "emblem" in the tenth line thereof to a comma, and adding the following words:

"and the ballots shall be numbered in consecutive order in all respects as is now provided for the stub to be numbered."

so that said section shall read:

"17. BALLOTS AND BALLOT BOXES.—There shall be a separate ballot for each political party subject to this Act, at the primary election provided for herein. Such ballots shall be printed in substantially the same manner as now provided by law in case of regular elections, except that on the back thereof shall be printed the words, 'Official Primary Ballot,' and at the head thereof shall be printed the words, 'Official Primary Ballot,' together with proper party name and the party emblem, and the ballots shall be numbered in consecutive order in all respects as is now provided for the stub to be numbered. The party emblem in each case shall be the same as that used at the last preceding regular election, unless sixty days before the primary election the proper party authority certify a different emblem to the Secretary of State, in which event he shall certify the new emblem to the County Clerks as herein provided, and the ballots be numbered in consecutive order in all respects as is now provided for the stub to be numbered."

§ 9. That section 18 of said Act which reads as follows:

"18. NUMBER OF BALLOTS.—There shall be provided and furnished at each primary nominating election and each election precinct fifty per cent more official ballots for each political party than the number of votes cast by such political party at the last preceding presidential election, and if a precinct was created since the last presidential election the County Court Clerk shall furnish such number of ballots in such precinct as may be requested by the chairman of the County Executive Committee or authority of each political party, not exceeding, however, three hundred ballots for each party for each such precinct." shall be and the same is hereby

amended, by adding after the word, "precinct," in the last line thereof, the following:

"In any and all elections in which women are qualified to vote, the Clerk shall furnish for such women voters, for each precinct in which the election is to be held, a number equal to fifty per cent of the entire number of ballots furnished for the male voters in each precinct, and the ballots cast by such women voters shall be treated in all respects like the ballots cast by male voters, and deposited in the boxes hereinbefore provided for the respective parties."

so that said section shall read:

"18. NUMBER OF BALLOTS.—There shall be provided and furnished at each primary nominating election and each election precinct fifty per cent more official ballots for each political party than the number of votes cast by such political party at the last preceding presidential election, and if a precinct was created since the last presidential election, the County Court Clerk shall furnish such number of ballots in such precinct as may be requested by the chairman of the County Executive Committee or authority of each political party, not exceeding, however, three hundred ballots for each party for each such precinct.

In any and all elections in which women are qualified to vote, the Clerk shall furnish for such women voters, for each precinct in which the election is to be held, a number equal to fifty per cent of the entire number of ballots furnished for the male voters in each precinct, and the ballots cast by such women voters shall be treated in all respects like the ballots cast by male voters, and deposited in the boxes hereinbefore provided for the respective parties."

§ 10. That Section 19 of said Act,

"19. QUALIFICATIONS OF ELECTORS.—In addition to the special qualifications hereinafter prescribed, the same qualifications of electors shall apply in primary elections held under this act, as are now required in regular elections. Said qualifications shall be determined as of the date of the primary,

without regard to the qualifications or disqualifications as they may exist at the succeeding regular election. In precincts where registration is required, no elector, except those entitled to be specially registered as hereinafter provided, shall be entitled to vote in any primary unless he is registered in the registration book of said precinct for the preceding year, as affiliating with the party whose ballot he offers to vote. If so registered he shall be entitled to vote the ballot of the party with which he is registered, and no other. In other precincts qualified electors shall be allowed to vote only the ballots of that party with which they declare their affiliation."

shall be and the same is hereby repealed and stricken from the Act, and there be and there is enacted the following, which shall be inserted in lieu thereof:

"19. QUALIFICATIONS OF ELECTORS.—Before a person shall be qualified to vote in the primary election herein provided for, he shall possess all the qualifications now prescribed by the Constitution and as are now required of voters in regular elections. He shall, in addition to said qualifications, be a member of the party for whose nominees he intends to cast his vote, and shall have affiliated with said party and supported its nominees, and no person shall be deemed to have affiliated with the party for whose nominees he intends to cast his vote, if he voted against the nominee or nominees of such party at the last general election, or if during the then past five years, having been a voter for that length of time, he has not usually voted for the nominees of the party to which he claims to belong. Said qualifications shall be determined as of the date of the primary, without regard to the qualifications or disqualifications as they may exist at the succeeding regular election. In precincts where registration is required, no elector, except those entitled to be specially registered as herein provided, shall be entitled to vote in any primary, unless he is registered in the registration book of said precinct for the preceding year, as affiliating with the party whose ballot he offers to vote. If so registered, he shall be entitled to vote

the ballot of the party with which he is registered and no other. In other precincts, qualified electors shall be allowed to vote only the ballot of the party of which they are members, and with which they have affiliated and supported as defined herein. The qualifications above described shall apply to candidates and voters alike.

"In order to determine in case of doubt, any of the qualifications above mentioned, the Judge of the election shall have power to and he shall swear any person offering himself to vote as to any of said qualifications, and when so sworn, the Judge shall direct the Clerk to, and the Clerk shall write upon the primary stub bearing the voter's name, the words, "sworn as to qualifications." And any voter making a false statement as to any of his qualifications shall be liable to indictment and conviction for false swearing.

"Any Judge of an election knowingly receiving a vote of any elector who is not qualified as provided in this Act shall be guilty of a misdemeanor, and upon conviction, shall be fined One Hundred Dollars for each offense, and any person so voting knowing that he is not qualified as provided in this Act, shall be guilty of a misdemeanor and upon conviction, shall be fined One Hundred Dollars for each offense, the fine in each case to be recovered upon information or indictment in any court having jurisdiction."

§ 11. That section 27 of this Act, which reads as follows:

"27. REVIEW BY COURT.—Whenever it shall be made to appear by affidavit filed in the Circuit Court that an error or omission has occurred or is about to occur in the placing of any name on an official primary ballot, or that an error or wrong has been committed or is about to be committed in printing such ballot, or in the performance of any duty imposed by this act, the court shall order the officer or person charged with such error, wrong or neglect, forthwith to correct the error, desist from the wrongful act or perform the duty, or show cause why he should not be compelled to do so.

Failure to obey the orders of the Judge or the Court shall be contempt of court, and punishable as such. If the Circuit Court be not in session in the County, the Circuit Judge shall hear and determine the complaint in vacation, unless he be absent from the county, in which case said affidavit shall be filed before the Judge of the County Court, who shall have full power to hear and determine the complaint and make appropriate orders therein. The orders of a court or judge under this section shall be final and not appealable. Only candidates may institute proceedings under this section. In case a charge under this section is directed against the Secretary of State or any other State officer, the affidavit shall be filed in the Franklin Circuit Court."

shall be and the same is hereby repealed, and the following enacted and inserted in lieu thereof:

"27. REVIEW BY COURT.—Whenever it shall be made to appear by affidavit accompanied by a motion, filed in the Circuit Court, as hereinafter provided, that an error or omission has occurred or is about to occur in the placing or failing to place the name of any candidate on the official primary ballot, or that an error or wrong has been or is about to be committed in the printing of said ballots, or any officer has failed or is about to fail to perform any duty imposed by this Act, the Court shall order the officer or person charged with such error, wrong, neglect or failure to forthwith correct the error, desist from such wrongful act, to supply the failure, or to perform the duty, or show good cause why he should not be compelled so to do. Failure to obey the orders of the Judge or Court shall be treated as a contempt of court, and may be punished as such. If the Circuit Court be not in session in the county, the Circuit Judge of the district in which the county lies shall hear and determine the matter. If the Circuit Judge of the district in which the county lies be absent from the district, then the motion and affidavit shall be filed before the Circuit Judge of a contiguous district, if he be

therein at the time, and if not, then before any Circuit Judge in the Commonwealth. And any of the Circuit Judges above indicated shall have full power to hear the complaint during Court or in vacation in a summary manner, and to determine and make final orders therein, and when any such order is made, it shall be conclusive and not subject to appeal.

"Of the filing of the motion and affidavit, and the time and place of hearing thereon the officer or person against whom same is directed shall have notice, which notice shall be served as notices are directed to be served under the provisions of the Civil Code of Practice.

"Candidates only shall have the right to institute proceedings under this section, and the candidates shall pay the cost of the proceedings."

§ 12. That section 30 of said Act, which reads as follows:

"30. COUNTY CLERKS—COMPENSATION.—For his services under this Act, the County Clerk shall receive the following fees and no other: For every nomination paper filed with him by a candidate, one dollar; for publishing the list of candidates before the primary, twenty-five cents for each candidate, and the cost of printing; for each name specially registered by him as hereinbefore provided, ten cents. All fees and expenses incurred under this Act shall be paid as other election expenses."

be and the same is hereby repealed

and stricken from the Act, and that there be and is hereby enacted, the following in lieu thereof:

"30. COUNTY CLERKS—COMPENSATION.—For his services under this Act, the County Clerk shall receive the following fees and no other; For every declaration filed by a candidate, one dollar, which is to be paid by the candidate upon the filing of his declaration; for publishing the list of names of the candidates before the primary, twenty-five cents for each name, and the cost of printing; for each name specially registered by him as herein provided, ten cents. All fees and expenses

incurred under this Act, except the one above specifically mentioned, shall be paid as other election expenses are paid under the law."

§ 13. That Section 26 of said Act, which reads as follows:

"26. CANVASSING RETURNS—CERTIFICATES OF NOMINATION.—On the third day after the close of any primary nominating election the County Election Commissioners of each county shall proceed to canvass the returns of said primary election and tabulate the same. Such tabulation of votes for nominations for United States Senator and for all other candidates for office whose nomination papers are now, or may hereafter be required to be filed in the office of the Secretary of State, shall be made on one separate sheet for each political party and shall be immediately transmitted to the Secretary of State, in like manner as other election returns are transmitted to him. The tabulation of voters for all offices for which nomination papers are required to be filed in the County Clerk's office shall be on another separate sheet of paper for each political party and shall be filed in the County Court Clerk's office immediately after the canvass of the returns and tabulation of the votes by said Election Commissioners; and certificates of nomination shall immediately issue to the persons receiving the greatest number of votes for the offices for which they were candidates. In all legislative and senatorial districts which are composed of two or more counties, the County Court Clerks of each county in each district shall immediately after the primary nominating election returns have been canvassed and certified to them by the Election Commissioners, certify the vote of each candidate for State Senator and Representative to the County Court Clerk in the county having the largest population in each such district, and shall immediately transmit to such clerk the votes aforesaid for candidates for State Senator and Representative. On the fourteenth day after such primary nominating election, the County Election Commissioners of the largest county

in each legislative and senatorial district in the State that is composed of two or more counties, shall assemble at the County Court Clerk's office in said county and canvass the returns that have been certified by the Election Commissioners of each county in such district for State Senator and for Representative, and they shall issue to the person receiving the greatest number of votes for the office for which he is a candidate a certificate of nomination, which certificate shall, not less than fifteen days next before the day on which the general November election is held, be filed in the office of the County Clerk of each county comprising such legislative or senatorial district. On the fourteenth day after such primary nominating election the State Board of Election Commissioners shall meet at the Capitol and canvass the returns of said primary election that have been certified and filed with the Secretary of State for all offices where the returns are required to be certified to and filed with the Secretary of State for all the political parties entitled to participate in such primary nominating elections; and after they have completed the tabulation and canvass of the returns of said primary nominating election they shall immediately certify to the same, and they shall issue to that candidate of each political party receiving the highest number of votes for the office for which he was a candidate a certificate of nomination, which certificate shall, not less than thirty days next before the day on which the general November election is held, be filed in the office of the Secretary of State. The Secretary of State shall, not less than twenty days before the day on which the general November election is held, certify under the seal of his office the persons whose names are entitled to be printed on the official ballot at the November election as the candidates of the various political parties for the offices to be filled at such election, and who have been nominated as herein provided; and he shall make and transmit by registered mail a duplicate of such list and certificate of nomination of candidates for offices to the County Court Clerks of every county in the State where the

candidate is to be voted for by the State at large, and he shall so transmit the names of such candidates to the County Court Clerks of each and every county in the district in which such candidate is to be voted for where the candidate is to be voted for by a district smaller than the State."

shall be and the same is hereby repealed, and the following enacted and inserted in lieu thereof:

"26. CANVASSING RETURNS—CERTIFICATES OF NOMINATION.—On the third day after the close of any primary nominating election the County Election Commissioners of each county shall proceed to canvass the returns of said primary election and tabulate the same. The tabulation of votes for all officers for which the nomination papers are required to be filed in the County Court Clerk's office shall be on another separate sheet of paper for each political party and shall be filed in the County Court Clerk's office immediately after the canvass of the returns and tabulation of the votes by said Election Commissioners; and certificates of nomination shall immediately issue to the persons receiving the greatest number of votes for the offices for which they were candidates. And said certificate shall not less than fifteen days next before the day on which the general November Election is held, be filed with the County Clerk. Such tabulation of votes for nominations for candidates for office whose nomination papers are now, or may hereafter be required to be filed in the office of the Secretary of State, shall be made on one separate sheet for each political party and shall be immediately transmitted under seal to the Secretary of State, in like manner as other election returns are transmitted to him. On the fourteenth day after such primary nominating election the State Board of Election Commissioners shall meet at the Capitol and canvass the returns of said primary election that have been certified and filed with the Secretary of State for all officers where the returns are required to be certified to and filed with the Secretary of State for all the political parties entitled to participate in such primary nominating

election; and after they have completed the tabulation and canvass of the returns of said primary nominating election they shall immediately certify to the same, and they shall issue to that candidate of each political party receiving the highest number of votes for the office for which he was a candidate, a certificate of nomination, which certificate shall, not less than thirty days next before the day on which the general November election is held, be filed in the office of the Secretary of State. The Secretary of State shall, not less than twenty days before the day on which the general November election is held, certify under the seal of his office the persons whose names are entitled to be printed on the official ballot at the November election as the candidates of the various political parties for the offices to be filled at such election, and who have been nominated as herein provided; and he shall make and transmit by registered mail, a duplicate of such list and certificate of nomination of candidates for offices to the County Court Clerks of every county in the State where the candidate is to be voted for by the State at large, and he shall so transmit the names of such candidates to the County Court Clerks of each and every county in the district in which such candidate is to be voted for where the candidate is to be voted for by a district composed of more than one county."

§ 14. That section 24 of said Act, which reads as follows:

"24. MANNER OF VOTING.—Any person desiring to vote shall give his name, his residence, and the name of his political party to the clerk of the election, who shall thereupon announce the same in the presence of the judges of the election, and if such person is entitled to vote in such primary election the clerk shall write on the primary stub of the ballot to be voted by such person his name and residence. The clerk shall then tear off the ballot at the perforated line and endorse his own name across the back of the ballot and then deliver the ballot to the elector, who shall be entitled to receive only one official ballot, and when the clerk shall deliver said ballot to

the elector, said elector shall immediately retire to a voting booth and there prepare his ballot; and when he has prepared it he shall fold it so as to conceal the names of all candidates thereon and shall immediately return to the officers of election and deliver his folded ballot to the judges of election. The judges of election shall, in the presence of the elector, remove the secondary stub from said ballot and deposit said ballot in the box provided for the political party for which it is cast."

be and the same is hereby repealed and stricken from the Act, and the following is enacted and inserted in lieu thereof:

"24. MANNER OF VOTING.—Any person desiring to vote shall give his name, his residence and the name of his political party to the clerk of the election, who shall thereupon announce the same in the presence of the judges of the election, and if such person is entitled to vote the ballot of the party to which he claims to belong, in such primary election, the clerk shall write on the primary stub of the ballot to be voted by such person, his name and residence. The clerk shall then tear off the ballot at the perforated line and endorse his own name across the back of the ballot and then deliver the ballot to the elector, who shall be entitled to receive only one official ballot, and when the clerk shall deliver said ballot to the elector, said elector shall immediately retire to a voting booth and there prepare his ballot; and when he has prepared it he shall fold it so as to conceal the names of all candidates thereon and shall immediately return to the officers of election and deliver his folded ballot to the judges of election. The judges of election shall, in the presence of the elector, remove the secondary stub from said ballot and deposit said ballot in the box provided for the political party for which it is cast."

§ 15. It being the sense of the General Assembly that the foregoing amendments should become effective as to the Primary elections to be held in the year 1914, an emergency is declared to exist, and this amendatory act shall become ef-

fective upon its passage and approved by the Governor, and laws which are in conflict herewith are hereby repealed.

Mr. Walton offered the following amendment:

Amend by adding on page 10, line 105, after the word "supported" the words "a majority of."

Said amendment was disagreed to.

Mr. Klette offered the following amendment to said bill:

Amend Section 18, line two, by striking out the word "fifty" and insert in lieu thereof "seventy-five."

Said amendment was agreed to.

Mr. Saufley offered the following amendment to said bill:

Amend by striking out, in Sec. 1, line 21, the words "nor to candidates for presidential elections."

Said amendment was disagreed to.

Mr. Phelps offered the following amendment to said bill:

Amend H. B. 76 by striking out the words, "Or if during the then past five years, having been a voter for that length of time, he has not usually voted for the nominees of the party to which he claims to belong," in Section 19, lines 24, 25 and 26.

Said amendment was agreed to.

Mr. Pumphrey offered the following amendment to said bill:

Amend by adding to line 36, page 16, after the word "herein" "provided that all minors who will become twenty-one years of age before the November election, shall be entitled to vote in said primary by declaring the party of their choice."

Said amendment was agreed to.

Mr. Hall offered the following amendment to said bill:

Amend Sec. 27, by inserting in line 33, immediately after the word "such" the following: "Any officer whose duty it is to prepare or furnish ballots as required under this act, who shall wilfully, or neglectfully fail to do so, shall, upon conviction therefor, be fined not less than one thousand dollars nor more than two thousand dollars for each offense, and in addition thereto may be imprisoned in the county jail not less than sixty days nor more than six months.

Said amendment was agreed to.

The hour of 3:00 o'clock having arrived, in accordance with an invitation extended by the Senate and accepted by the House, to hear the address by Miss Sophia Nesbitt Breckinridge in the Senate Chamber, on the subject of Woman Suffrage, the House does now recess until the conclusion of said address.

At 4:00 o'clock the House reconvened.

The House having had under consideration H. B. 76, immediately upon reconvening said bill was taken up for further consideration.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were:

Peter Ampler	Ed. Frost	John E. Newman
Harry Avery	C. M. Gum	C. B. Nichols
Wallace Bailey	E. V. Hall	S. Mazyck O'Brien
Jas. W. Barrall	Elwood Hamilton	A. W. Palmer
Geo. B. Barrett	W. L. Hampton	William A. Perry
Henry C. Blades	H. H. Harrington	John A. Polin
Joseph Boitnott	H. H. Hays	Dr. T. J. Poteet
Elmer L. Brown	Dr. S. L. Henry	W. A. Price
C. W. Burton	D. H. Hillman	J. D. Pumphrey
Glover H. Cary	R.B.Hutchcraft,Jr.	Richard Radcliffe
Ed. F. Cecil	T. R. Jones	Dr. W. R. Ray
J. G. Coke, Jr.	John A. Judy	Stanley F. Reed
Benj. L. Cox	Griffin Kelly	S. H. Rogers
James R. Dorman	John H. Klette	W. E. Rogers
John W. Douglas	William J. Kuh	S. M. Saufley
John Drescher	Simon B. Lott	W. A. Shawler
H. C. Duffy	Dr.J.N.M'Cormack	L. M. Smith
John C. Duffy	W. T. McNally	W. T. Stott
William Duffy	John G. Miller, Jr.	Matt.S.Walton,Jr.
Odie Duncan	T. T. Mobley	James T. Webb
Thomas J. Evans	J. R. Mount	John F. White
M. J. Farris, Jr.	Harry J. Myers	Roy S. Wilson
Vert C. Fraser	Zach L. Myers	—68

Those voting in the negative were—

J. B. Harvey	Lilburn Phelps	W. M. Webb
J. J. Huff	Ed. D. Stone	Douglas G. Wood

—6

Resolved, That the title thereof be as aforesaid.

Mr. Cary moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

S. B. 14. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling expenses while in the performance of public duties required of them by law and providing for the payment thereof.

Mr. John C. Duffy moved that said bill be recommitted to the Cimmittee on State Prisons and Houses of Reform.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 279.—An Act fixing the amount of the bonds of the wardens of the Kentucky Penitentiary at Eddyville and of the Kentucky Reformatory at Frankfort, Ky., and of the deputy wardens thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That hereafter the bond of the warden of the Kentucky Penitentiary at Eddyville, and the bond of the warden of the Kentucky Reformatory at Frankfort, shall be, and the same is reduced to Twenty Thousand ($20,000.00) Dollars each; and the bond of each of the deputy wardens and of the assistant deputy wardens at said penitentiary and said reformatory, shall be, and the same is reduced to Ten Thousand ($10,000.00) Dollars.

All Acts and parts of Acts in conflict herewith are hereby repealed.

Mr. Hampton offered the following amendment to said bill:

Amend by striking out in line six and seven the words and figures "Ten Thousand ($10,000.00) Dollars" and inserting in lieu thereof the words and figures "Six Thousand ($6,000) Dollars."

Said amendment was agreed to.

Mr. McCormack offered the following amendment to said bill, viz.:

Amend by striking out Twenty Thousand Dollars and inserting in lieu thereof, fifteen thousand dollars.

Said amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the reading of said bill at length being dispensed with,

Said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	E. V. Hall	A. W. Palmer
Harry Avery	W. L. Hampton	John A. Polin
Wallace Bailey	H. H. Harrington	Dr. T. J. Poteet
Jas. W. Barrall	J. B. Harvey	W. A. Price
Geo. B. Barrett	H. H. Hays	J. D. Pumphrey
Henry C. Blades	Dr. S. L. Henry	Richard Radcliffe
Joseph Boitnott	D. H. Hillman	Dr. W. R. Ray
Elmer L. Brown	J. J. Huff	S. H. Rogers
A. T. Bryson	T. R. Jones	W. E. Rogers
C. W. Burton	John A. Judy	S. M. Saufley
Ed. F. Cecil	Griffin Kelly	W. A. Shawler
Benj. L. Cox	John H. Klette	L. M. Smith
James R. Dorman	William J. Kuh	Ed. D. Stone
John W. Douglas	Simon B. Lott	W. T. Stott
John Drescher	C. R. Luker	N. C. Tilford
H. C. Duffy	Dr.J.N.M'Cormack	Matt.S.Walton,Jr.
John C. Duffy	W. T. McNally	James T. Webb
William Duffy	John G. Miller, Jr.	W. M. Webb
Odie Duncan	T. T. Mobley	John F. White
Thomas J. Evans	J. R. Mount	N. B. White
M. J. Farris, Jr.	Zach L. Myers	Roy S. Wilson
Vert C. Fraser	John E. Newman	Douglas G. Wood
Ed. Frost	C. B. Nichols	
Frank C. Greene	S. Mazyck O'Brien	—70

Resolved, That the title thereof be as aforesaid.

Mr. Jones moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 189. An Act to repeal an Act entitled "An Act relating to weights, measures and balances and the appointment of an inspector of weights and measures for counties," being Chapter 90, Acts 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all of the above named and entitled Act, being Chapter 90, of the Acts of the General Assembly of the session of 1912, be and the same is hereby repealed.

Mr. Carey offered the following amendment to said bill:

Amend by striking out the figures "1912" in line 3 of Section one, and insert in lieu thereof the figures "1910."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and, as amended, passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank C. Greene	C. B. Nichols
Harry Avery	C. M. Gum	A. W. Palmer
Wallace Bailey	E. V. Hall	Lilburn Phelps
Jas. W. Barrall	W. L. Hampton	William A. Perry
Geo. B. Barrett	H. H. Harrington	John A. Polin
Joseph Boitnott	H. H. Hays	Dr. T. J. Poteet
Elmer L. Brown	W. E. Henninger	W. A. Price
A. T. Bryson	Dr. S. L. Henry	J. D. Pumphrey
C. W. Burton	D. H. Hillman	Richard Radcliffe
Glover H. Cary	R.B.Hutchcraft,Jr.	Dr. W. R. Ray
Ed. F. Cecil	T. R. Jones	S. H. Rogers
J. G. Coke, Jr.	John A. Judy	W. E. Rogers
Benj. L. Cox	Griffin Kelly	S. M. Saufley
George T. Davis	John H. Klette	W. A. Shawler
James R. Dorman	William J. Kuh	L. M. Smith
John W. Douglas	J. C. Lay	Ed. D. Stone
John Drescher	Simon B. Lott	W. T. Stott
H. C. Duffy	C. R. Luker	N. C. Tilford
William Duffy	Dr.J.N.M'Cormack	Matt.S.Walton,Jr.
Odie Duncan	John G. Miller, Jr.	James T. Webb
G. P. Durrett	T. T. Mobley	W. M. Webb
Thomas J. Evans	J. R. Mount	John F. White
W. N. Flippin	Harry J. Myers	N. B. White
Vert C. Fraser	Zach L. Myers	Roy S. Wilson
Ed. Frost	John E. Newman	Douglas G. Wood

—75

There voted in the negative—

J. B. Harvey —1

Resolved, That the title thereof be as aforesaid.

Mr. Cary moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Harry J. Meyers indicated the hour of adjournment and then the House adjourned.

FRIDAY, FEBRUARY 20, 1914.

The House was opened with prayer by the Rev. J. R. Zeigler, of the Presbyterian Church of the City of Frankfort.

Upon the call of the counties and representative districts, bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Ray:

H. B. 550. An Act for the benefit of the Guards at the Frankfort Reformatory and the Eddyville Branch Penitentiary.

To Committee on State Prisons and Houses of Reform.

By Mr. Kelly:

H. B. 551. An Act relating to the draining of lands, ditches and drains, the establishment and construction of public levees, ditches and drains, creeks or navigable streams.

To Committee on Public Ditches and Fences.

By Mr. Judy:

H. B. 552. An Act appropriating money for the proper care of the State Capitol Grounds and Governor's Mansion.

To Committee on Judiciary.

By Mr. Clay:

H. B. 553. An Act to amend Section 702 of the Kentucky Statutes, so as to further regulate assessment or co-operative fire insurance companies.

To Committee on Insurance, Fire and Marine.

By Mr. Jones:

H. B. 554. An Act to amend and re-enact an act entitled "An Act to amend An Act entitled An Act to amend an Act to amend an Act entitled An Act to amend and re-enact an Act entitled An Act to assign the Cities and Towns of this Commonwealth to the classes to which they belong," approved March 14, 1912.

To Committee on Classification of Cities and Towns.

By Mr. Dorman:

H. B. 555. An Act requiring bonding companies to give thirty days' notice before cancelling a guaranty or indemnity bond.

To Committee on Judiciary.

By Mr. Hammond:

H. B. 556. An Act to regulate the weight of a bushel of corn in the shuck.

To Committee on Public Warehouses and Granaries.

By Mr. Pumphrey:

H. B. 557. An Act to exempt new lines of railroads from taxes for five years.

To Committee on Railroads.

By Mr. Cecil:

H. B. 558. An Act to amend Section 3 of an Act entitled "An Act for the government and regulation of the common schools of the State," being Chapter 56 of the Acts of 1908 and sub-section 3 of section 4426a of Carroll's Statutes of 1909.

To Committee on Education No. 1.

By Mr. Huff:

H. B. 559. An Act declaring certain public roads, public works of the State of Kentucky.

To Committee on Public Roads and Highways.

By Mr. Huff:

H. B. 560. An Act to require corporations or individuals doing a mining or other business, to redeem their script or other exchange issued in lieu thereof, to redeem same in lawful money of the United States.

To Committee on Judiciary.

By Mr. Coke:

H. B. 561. An Act providing a stenographer for the

Grand Jury of the various counties of the State of Kentucky.

To Committee on Judiciary.

By Mr. Coke:

H. B. 562. An Act providing a stenographer for the various county courts of the State.

To Committee on Judiciary.

By Mr. Coke:

H. B. 563. An Act to amend Section 133 of the Kentucky Statutes.

To Committee on Judiciary.

By Mr. Coke:

H. B. 564. An Act to amend Section 353 of the Kentucky Statutes, relating to fees in examining trials of officers.

To Committee on Judiciary.

By Mr. Coke:

H. B. 565. An Act to amend Section 1732 Kentucky Statutes.

To Committee on Judiciary.

By Mr. Evans:

H. B. 566. An Act to establish and regulate the rates of

transportation charged for passengers by railroads operating in the State of Kentucky.

Mr. Klette presented a petition signed by sundry citizens of Kenton County, requesting this Honorable Body to vote for and enact into a law, a bill, No. 62, known as the semi-monthly pay bill.

Said petition was received, read and referred to the Committee on Compensation, Industrial Injuries.

Mr. Huff presented a petition signed by sundry citizens and members of the Bell County Bar Association, approving S. B. 69, introduced by Senator Bosworth.

Said petition was received, read and referred to the Committee on Cities of the Fourth Class.

Petitions were presented by Messrs. Huff, Hammond, Mobley, Jones and Frost, signed by sundry citizens of the counties of Harlan, Simpson, Elliott, Calloway and Muhlenberg, urging the submission to the voters of Kentucky of an amendment to the State Constitution prohibiting the manufacture and sale of alcoholic liquor in the State of Kentucky.

Said petitions were received, read and referred to the Committee on Alcoholic Liquor Traffic.

Petitions were presented by Messrs. Flippin, Huff, Dorman and Farris, signed by sundry citizens of the counties of Boyle, Harlan, Jessamine and Pulaski opposing the enactment of the proposed law embodied in H. B. 277 and S. B. 183.

Said petitions were received, read and referred to the Committee on Public Health.

Mr. Kelly presented a petition signed by sundry citizens of Daviess County, urging the defeat of H. B. 45, pertaining to Revenue and Taxation.

Said petition was received, read and referred to the Committee on Revenue and Taxation.

Mr. Hamilton moved to call from the Clerk's desk, for adoption, a resolution entitled:

H. Res. 26. Resolution providing for an assistant to the Superintendent of Public Printing at a salary of seventy-five dollars per month.

Resolved by the General Assembly of the Commonwealth of Kentucky:

That Geo. A. Lewis, Superintendent of Public Printing, be allowed an assistant during the present session of the General Assembly, at a salary of seventy-five dollars per month.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution, in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Peter Ampler	Ed. F. Cecil	Thomas J. Evans
Jas. W. Barrall	Benj. L. Cox	W. N. Flippin
Geo. B. Barrett	James R. Dorman	Vert C. Fraser
Joseph Boitnott	John W. Douglas	John F. Fryer
Elmer L. Brown	John C. Duffy	E. V. Hall
C. W. Burton	William Duffy	Elwood Hamilton

V. D. Hammond	William J. Kuh	Dr. T. J. Poteet
H. H. Harrington	Simon B. Lott	W. A. Price
J. B. Harvey	Dr.J.N.M'Cormack	J. D. Pumphrey
H. H. Hays	W. T. McNally	Stanley F. Reed
Dr. S. L. Henry	T. T. Mobley	S. H. Rogers
D. H. Hillman	Harry J. Myers	W. A. Shawler
J. J. Huff	John E. Newman	L. M. Smith
R.B.Hutchcraft,Jr.	C. B. Nichols	N. C. Tilford
T. R. Jones	S. Mazyck O'Brien	James T. Webb
John A. Judy	Lyman J. Parrigin	John F. White
Griffin Kelly	Lilburn Phelps	N. B. White
John H. Klette	William A. Perry	Roy S. Wilson

—54

Those who voted in the negative were—

Harry Avery	W. L. Hampton	S. M. Saufley
Odie Duncan	J. R. Mount	Ed. D. Stone
C. M. Gum	Zach L. Myers	W. T. Stott

—9

And so said resolution was adopted.

A message was received from the Senate, announcing that they had adopted a joint resolution originating in that body, of the following title:

S. Res. 21. Resolution declaring Monday, February 23, 1914, a legal holiday and providing for adjournment.

Whereas, Washington's Birthday is a legal holiday, under Section 2089a of the Kentucky Statutes, and falls this year on Sunday; therefore,

Be it resolved by the two Houses of the General Assembly of the Commonwealth of Kentucky:

That, Monday, February twenty-third, of this year be declared a holiday in lieu of Sunday, February twenty-second, and be not counted as a legislative day under Section 42

of the Constitution and that when the Senate and House of Representatives adjourn today they adjourn to meet Tuesday, February 24th, 1914, at 11:00 o'clock.

Mr. Smith moved that the rules be suspended and that said resolution be adopted.

Mr. Perry moved as an amendment to said motion, that said resolution be referred to the Attorney General for a legal opinion thereon.

Said last mentioned motion was agreed to.

After a time the Attorney General rendered the following opinion regarding said resolution:

There is no question in my mind but what this resolution is legal.

Section 2089a specifically provides that when a holiday falls on Sunday the next day may be observed as such.

M. M. LOGAN,
Assistant Attorney General.

The rules were suspended and said resolution was adopted.

Mr. Duffy moved to call from the Clerk's desk, for adoption, a resolution entitled:

H. Res. 23. Resolution requesting Congress of the United States and the Department of Justice of the United States to investigate conspiracies and combinations to maintain rates by insurance companies resisting regulation of rates in this State.

Said motion was agreed to.

Said resolution was adopted.

(For resolution see House Journal of date Feb. 16th.)

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

H. B. 30. An Act to require officers and employes of the Commonwealth of Kentucky to furnish an itemized statement to the Auditor of Public Accounts of their traveling and incidental expenses while in performance of public duties required of them by law and providing for the payment thereof.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

A message was received from the Governor announcing

that he had approved and signed H. Res. of the following title:

H. Res. 17. Resolution extending an invitation to President Woodrow Wilson of the United States to make an address before the meeting of the Kentucky Educational Association held in Louisville, Pentucky, May first, one thousand nine hundred and fourteen.

Mr. Walton moved to dispense with the orders of the day, at this time, and that the Clerk complete the call of Committees for report.

Said motion was agreed to.

Mr. Hamilton moved that this House recess at 12:30 until 1:30 P. M.

Said motion was agreed to.

Mr. Hamilton moved that when this House reconvene at 1:30 P. M., it continue in session until 3:00 P. M.

Said motion was agreed to.

Mr. Klette moved that the Committee on Immigration and Labor, to which the same had been referred, report H. B. 54 and that same be given a first reading and placed on the calendar.

Said motion was agreed to.

By Mr. Duncan, of the Committee on Immigration and Labor:

H. B. 54. An Act requiring the semi-monthly payment of employes.

Mr. Roy S. Wilson moved that the Committee on Immigration and Labor, to which the same had been referred, report H. B. 62, 148 and 75 and that same be given a first reading and placed on the calendar.

Said motion was agreed to.

By Mr. Duncan, of the Committee on Immigration and Labor:

H. B. 62. An Act to provide for the payment of wages at least twice in each calendar month.

Without expression of opinion.

By Same:

H. B. 75. An Act to regulate the payment of wages by employers.

Without expression of opinion.

By Same:

H. B. 148. An Act to require all persons, corporations, companies, firms or partnerships to have two regular pay days each month.

Said bills were read the first time at length and ordered to be placed on the calendar.

The Committees to which the same had been referred, reported bills of the following titles:

By Mr. Hampton, of the Committee on Alcoholic Liquor Traffic:

H. B. 489. An Act relative to the creation of a fund to aid in the prosecutions of violators of the liquor law.

With an amendment thereto.

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 311. An Act to amend Sections 2282, Chapter 74, Kentucky Statutes.

By Same:

H. B. 354. An Act to regulate the time of holding the term of the Circuit Court in the Thirty-fourth Judicial District.

By Mr. Price, of the Committee on Civil Codes of Practice:

H. B. 388. An Act to amend Article 1 of Chapter 2 of title 4 of the Civil Code of Practice of this State, relating to service of summons.

By Same:

H. B. 397. An Act to amend Section 194 of the Civil Code and relating to attachments.

By Same:

H. B. 360. An Act repealing Section 281 of the Criminal Code of Practice, Carroll's Edition 1909.

By Same:

H. B. 52. An Act to regulate practice in suits against

common carriers and amend Section 113 sub-section 4 of the Civil Code of Practice.

By Same:

H. B. 363. An Act to amend Section 69 of the Code of Practice, Criminal Cases.

By Mr. Boitnott, of the Committee on Confederate Home:

H. B. 440. An Act to amend an Act entitled, "An Act to incorporate the Kentucky Confederate Home, and providing for the maintenance thereof" approved March 27, 1902, amended March 26, 1904, March 21, 1906, March 19, 1910 and March 18, 1912.

By Mr. Hammond, of the Committee on Education No. 1:

H. B. 540. An Act to amend Sections 3 and 5 of an act entitled "An Act to provide for the enforced attendance of children in the common schools of this Commonwealth," which became a law March 15, 1912.

By Same:

H. B. 509. An Act to regulate and publish the collection of special school tax in counties where such tax is collected.

By Same:

H. B. 315. An Act to amend Section 5 of an Act entitled "An Act to amend Chapter 113, Article 6a, Carroll's Kentucky Statutes, 1909 (page 133, Act of March 24, 1908) Districts, Trustees, Teachers, Taxation" found in Acts of 1912, page 121.

Without expression of opinion.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 443. An Act to prohibit the setting of steel traps, dead falls, snares or other trap or device on the land of another without permission of owner and fixing a penalty for the violation thereof.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 105. An Act regulating the disposition of all moneys received by the Commonwealth of Kentucky as registration or license fees on automobiles and other motor or electric vehicles.

Without expression of opinion.

By Mr. Nichols, of the Committee on State University and Normal Schools:

H. B. 319. An Act requiring that the State Museum, cabinet and also all geological collections belonging to the State Geological Survey now at Lexington, Ky., be removed to Frankfort, Kentucky.

With an amendment thereto by way of substitute therefor.

By Same:

H. B. 504. An Act to change the name of State University to University of Kentucky.

By Mr. Spahn, of the Committee on Commerce and Manufactures:

H. B. 439. An Act to prevent the shipping out of this State and butchering of veal calves.

By Mr. Pumphrey, of the Committee on Constitutional Amendments:

H. B. 99. An Act to amend Sections 31 and 36 of the Constitution of Kentucky, providing for the Representatives to be elected for four years and for one regular session of the Legislature each four years.

By Mr. Polin, of the Committee on Criminal Law:

H. B. 269. An Act to prohibit the sale of, or trafficking in bottles, siphons, boxes, tins, kegs and other sorts of packages or containers branded with the brand of the manufacturer or seller of the contents thereof.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

The Committee to which the same had been referred reported a bill of the following title, with the expression of opinion that said bill ought not to pass, viz.:

H. B. 314. An Act to amend Sub-section 4426a, Chapter 113, Article VIa, Carroll's Statutes, 1909 Edition, page 1776, "Duties of Trustees of Schools."

The question being taken on ordering said bill to a reading, the opinion of the Committee to the contrary, notwithstanding, it was decided in the negative.

And so said bill was rejected.

The Committee to which the same had been recommitted with leave to report at any time, for passage, reported a bill of the following title:

H. B. 70. An Act to provide for the extension of the school term of the common schools of Kentucky and to empower the County Board of Education to levy a tax to increase the term of school.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Board of Education of Kentucky is hereby empowered to make an order increasing the term of all common schools in the State of Kentucky to seven or eight months, when, in their discretion, the State school fund is sufficient in amount to justify them in doing so, and that when such order is made by the said State Board of Education, it shall be mandatory upon all school officials in the State of Kentucky. No such order shall be made in any school year after the fifteenth day of July and when such order is made the Board shall provide in said order for the payment of the State school funds in seven or eight equal installments, instead of six equal installments. When such order has been made and properly recorded on the record book of the State Board of Education, a copy of this order shall be certified by the State Board of Education to the State Auditor and the State Treasurer and to each County Superintendent of Schools in this Commonwealth and the Auditor and Treasurer shall honor the warrants of the Superintendent of Public Instruction when drawn in such equal installments as herein provided for, for the payment of teacher's salaries. The Auditor, upon the warrant of the

Superintendent of Public Instruction, shall issue his warrant on the Treasurer of the State and the Treasurer shall issue his warrant for such amounts, and the same be charged to the State school fund.

§ 2. The County Board of Education in each county of this Commonwealth, under this act, is empowered and given authority to make an order extending the term of the common schools in the county for a period of one or more months, not to exceed ten months, in addition to that provided by the State and ordered by the State Board of Education, when, in the judgment of said Board, it becomes desirable. When such order shall have been made and properly recorded as a part of the records of the County Board of Education, in the minute books of said Board, by the Secretary of said Board, the Board shall certify said order to the Fiscal Court of the County and request the Fiscal Court in writing, to make a levy in a sum not exceeding ten cents on each one hundred dollars of taxable property in addition to that which is now provided by law to be levied for school purposes and said sum shall be levied and collected as other school funds are now collected, for the purpose of extending the term and paying salaries of teachers in the common schools for this additional month or months. The sum of money so collected shall be paid over to the Treasurer of the County Board of Education and shall be used by said Board to pay the salaries of teachers for said month or months of the school term. The General School Law governing the salaries and qualifications of teachers shall control in the election and qualifications of teachers under this Act.

§ 3. All laws and parts of laws in conflict with this Act are hereby repealed.

In accordance with a motion heretofore made, to recess at 12:30 until 1:30 P. M., the hour of 12:30 P. M. having arrived the House does now recess.

AFTERNOON SESSION.

At 1:30 P. M. the House reconvened.

The House took up for consideration the unfinished business, H. B. 70.

Mr. Mobley offered the following amendment to said bill, by way of substitute therefor:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whenever the State Superintendent of Public Instruction shall declare a per capita not less than $4.75, nor more than $5.35, per each child in Kentucky between the age of six and twenty years, who are entitled to same, the school term for the common schools of the State of Kentucky shall be extended from six to seven months, and when said per capita is declared to be over $5.35, said term shall be extended to eight months. The declaration of said per capita as above alone extending said term, but in no event shall the term be less than six months, as now required by law.

When the school term is extended to seven months, the school fund for that year shall be divided into seven equal installments, and when extended to eight months into eight equal installments. The first six installments are to be paid at same dates as now required by law for six months schools, and when the term is only seven months the last month shall be paid for on the second Saturday in March of each year, and when eight months, the two last months shall be paid for the second Saturday of March and the second Saturday of April respectively.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

Said amendment by way of substitute was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Harry Avery	Elwood Hamilton	Zach L. Myers
Jas. W. Barrall	W. L. Hampton	John E. Newman
Henry C. Blades	J. B. Harvey	C. B. Nichols
Joseph Boitnott	W. E. Henninger	S. Mazyck O'Brien
Elmer L. Brown	Dr. S. L. Henry	A. W. Palmer
A. T. Bryson	D. H. Hillman	Lyman J. Parrigin
Glover H. Cary	J. J. Huff	Lilburn Phelps
Ed. F. Cecil	R.B.Hutchcraft,Jr.	William A. Perry
J. G. Coke, Jr.	T. R. Jones	John A. Polin
Benj. L. Cox	John A. Judy	Richard Radcliffe
James R. Dorman	Griffin Kelly	Dr. W. R. Ray
John W. Douglas	John H. Klette	Stanley F. Reed
H. C. Duffy	William J. Kuh	S. H. Rogers
John C. Duffy	Simon B. Lott	W. E. Rogers
William Duffy	C. R. Luker	L. M. Smith
Thomas J. Evans	Dr.J.N.M'Cormack	Adam Spahn
W. N. Flippin	W. T. McNally	Ed. D. Stone
Vert C. Fraser	John G. Miller, Jr.	W. T. Stott
Frank C. Greene	T. T. Mobley	Matt.S.Walton,Jr.
C. M. Gum	J. R. Mount	James T. Webb
E. V. Hall	Harry J. Myers	John F. White

—63

Resolved, That the title thereof be as aforesaid.

Mr. Coke moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the calendar, bills of the following titles:

H. B. 494. An Act to amend and re-enact Article 1, Chapter 52 of the Kentucky Statutes, Edition of 1909, being Sections 1833 to 1851, inclusive, entitled "Fiscal Courts" as amended by an Act entitled "An Act to amend Section 1850 of the Kentucky Statutes, Edition of 1909," being Chapter 116 of Acts of 1910.

H. B. 365. An Act for the benefit of Bernard Wells.

H. B. 299. An Act to amend Section 73 of the Civil Code of Practice.

H. B. 33. An Act to amend Section 1162 Kentucky Statutes.

H. B. 458. An Act making the unlawful, wilful and unreasonable neglect to provide for the support of a minor child, who is actually or apparently under the age of fourteen years, a felony.

H. B. 450. An act to prohibit the representative of any book company furnishing books used in educational institutions supplied in whole or in part by money appropriated out of the State Treasury from holding the position of trustee or member of the Board of Regents of any such institution.

H. B. 220. An Act to regulate the labor and employ-

ment of children and minors and to make the provisions thereof effective.

With amendments thereto.

H. B. 296. An Act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infant, idiot or lunatic for mining purposes.

With an amendment thereto by way of substitute therefor.

H. B. 350. An Act permitting Courts to require witnesses to execute bond for their appearance at the time of trial.

H. B. 383. An Act relating to provisions in contracts giving to engineers, architects and other persons the power to make final awards and appraisement; and to prevent the ousting of the jurisdiction of the courts by reason of such provisions.

With an amendment thereto by way of substitute therefor.

H. B. 23. An Act to repeal Chapter 10, Session Acts 1906 and to provide for a dog tax.

H. B. 423. An Act concerning gypsies or other like vagrants.

H. B. 464. An Act compelling grantor to put in every deed conveying real estate, the full consideration or purchase price and prescribing penalties for failure so to do.

H. B. 236. An Act authorizing Boards of Education in cities of the second class to create a fund for protection against fire and other casualties.

H. B. 250. An Act to promote physical education in schools of the cities of the first and second class.

H. B. 405. An Act to further amend and re-enact Section 3096 of Kentucky Statutes relating to cities of the second class.

H. B. 510. An Act to amend Section 69 of an Act entitled, "An Act for the government of cities of the first class" approved July 1, 1893, relating to public ways.

H. B. 329. An Act to amend that part of an Act entitled "An Act for the government of cities of the first class" which act relates to Revenue and Taxation.

S. B. 77. An Act to amend an Act entitled "An Act for the government of cities of the third class in the Commonwealth of Kentucky," which was approved June 14, 1893, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as Article 4 of Chapter 89 of the Kentucky Statutes in John D. Carroll's Edition thereof, in 1909.

H. B. 473. An Act to amend and re-enact Section 3096 of the Kentucky Statutes relating to the improvement of streets, public ways, grounds and sidewalks in cities of the second class.

H. B. 527. An Act to amend and re-enact Section 3105 of Carroll's Statutes of Kentucky, relating to the construction of sewers and the collection of the tax therefor by the city Treasurer in cities of the second class.

H. B. 242. An Act to regulate license and government use of motor vehicles.

With an amendment thereto.

H. B. 151. An Act amending Section 31 of an Act approved March 19, 1912, relating to the drainage of lands, the establishment and construction of public levees, ditches and drains, and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks or non-navigable streams, prescribing the methods of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating boards of drainage commissioners, and prescribing the duties and providing for the payment of officers and employees having duties to perform hereunder.

H. B. 501. An Act concerning the trial and punishment of persons indicted for a felony or misdemeanor.

With an amendment thereto.

H. B. 502. An Act authorizing the parole of persons confined in the State Penitentiary, the State Reformatory, the House of Reform and other penal institutions that are now, or may hereafter be under the supervision and control of the Board of Prison Commissioners; and authorizing the appointment of employment agents and a clerk of said board.

With an amendment thereto.

H. B. 456. An Act permitting the users or consumers of natural or artificial gas to enjoin persons, firms or corporations engaged in selling and furnishing gas for consumption, from cutting off or failing to furnish said gas,

when such users or consumers fail to pay the gas charge or charges, when in said users' or consumers' opinion same are excessive or incorrect.

S. B. 17. An Act to regulate the payment of certain appropriations.

With an amendment thereto by way of substitute therefor.

H. B. 357. An Act to reduce the annual appropriation of the State Historical Society.

With amendment thereto by way of substitute therefor.

H. B. 276. An Act appropriating $125.00 for the repairs of property of the Commonwealth of Kentucky.

H. B. 455. An Act to require boards of trustees of the public schols in the Commonwealth of Kentucky to supply to each of such schools an American flag and to provide for its raising over such schools each school day in the year and to provide penalties for the violations of this act.

H. B. 459. An Act to amend an act entitled "An Act to amend Chapter 113, Article VIa, Carroll's Kentucky Statutes, 1909, Districts, Trustees, Teachers, Taxation," approved March 11, 1912.

H. B. 78. An Act to amend and re-enact Sections 1 and 2 of Chapter 10 of the Acts of 1906, and to repeal Sections 64, 65, 66, 67 and 68 of the Kentucky Statutes, Edition of 1909, edited by John D. Carroll, relating to the tax on dogs.

H. B. 475. An Act to establish a Kentucky Vice Com-

mission, providing its duties and for the lessening of vice in the State of Kentucky.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

H. B. 145. An Act to amend and re-enact Sections 3713-3714, Chapter 89, Carroll's Kentucky Statutes, being part of Article 8 of said Chapter, entitled, "Creation and organization of towns," approved July 3, 1893.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

S. B. 4. An Act to amend an Act entitled, "An Act to create the 34th Judicial District of Kentucky and to change the 26th and 27th Circuit Court Judicial Districts and to provide for the holding of courts in the said 26th, 27th and 34th Judicial Districts and to provide for Judges and Commonwealth Attorneys," which Act was approved March 16, 1910.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the Senate to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill which originated in the Senate and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolutions of the following titles, viz.:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the official publication of the General Assembly and to purchase copies of same for the members of the General Assembly and certain officials.

S. Res. 17. Resolution to move the bust of Abraham Lincoln to Library at Louisville, Ky.

S. Res. 19. Resolution on the death of General Simon Bolivar Buckner.

S. Res. 22. Resolution declaring Monday, February 23, 1914, a legal holiday and providing for adjournment.

Whereupon, all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House, affixed his signature to each of said resolutions.

Ordered that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled Resolutions which originated in the Senate to the Clerk.

Ordered that the Chief Clerk deliver the enrolled Resolutions which originated in the Senate and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hamilton asked the unanimous consent of the House to deliver to the State Printer, Substitute for H. B. 45.

Said request was granted.

Mr. Harry J. Meyers indicated the hour of adjournment.

And then the House adjourned, in accordance with the resolution heretofore, this day, adopted, until Tuesday, February 24, 1914, at 11:00 o'clock A. M.

TUESDAY, FEBRUARY 24, 1914.

The House was opened with prayer by the Rev. Benj. Andres, of the Southern Presbyterian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows:

By Mr. Pumphrey:

H. B. 567. An Act to prevent the killing or trapping of fur-bearing animals in the State of Kentucky for a period of three years.

To Committee on Fish and Game.

By Mr. Pumphrey:

H. B. 568. An Act to prevent hunting with shot-guns or the killing of wild game of all kinds or descriptions in the State of Kentucky for a period of three years.

To Committee on Fish and Game.

By Mr. Pumphrey:

H. B. 569. An Act to provide for liens on monuments, grave-stones and cemetery structures in favor of persons or corporations furnishing the same.

To Committee on Judiciary.

By Mr. Coke:

H. B. 570. An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to create a Board of Penitentiary Commissioners, and regulate the penal institutions of this Commonwealth' which became a law March 5, 1908," which Act was approved by the Governor on March 16, 1910, and is now Chapter 15 of the Acts of 1910.

To Committee on State Prisons and Houses of Reform.

By Mr. Drescher:

H. B. 571. An Act to amend Section 633 of Kentucky Statutes.

To Committee on Insurance, Fire and Marine.

By Mr. Drescher:

H. B. 572. An Act to regulate the sale and shipment of onion-sets and seed potatoes in Kentucky.

To Committee on Agriculture.

By Mr. McDyer:

H. B. 573. An Act authorizing Fiscal Courts to levy a tax of not over $200.00 on each retail saloon of the county in support of the county roads.

To Committee on Judiciary.

By Mr. Kuh:

H. B. 574. An Act to repeal the Kentucky Statutes and re-enact in lieu thereof the "Decalogue" as was delivered to Moses on Mt. Sinai by the Supreme Lawmaker.

To Committee on Forestry.

By Mr. Miller:

H. B. 575. An Act to amend Chapter 17 of the Act of 1910, relating to second class cities.

To Committee on Municipalities.

By Mr. Stone:

H. B. 576. An Act to allow the hoopnets in rivers and streams within the State of Kentucky.

To Committee on Fish and Game.

Mr. McDyer presented a petition signed by Sundry citizens of Boyd County protesting against a bill now pending in the Legislature whereby women are limited to eight working hours per day.

Said petition was reecived, read and referred to the Committee on Immigration and Labor.

Mr. McCormack offered the following joint resolution:

House Resolution No. 27.

Resolution providing for a State Efficiency, Economy and Budget Commission.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a State Efficiency, Economy and Budget Commission, to be composed of two members, to be appointed by the Speaker of the House of Representatives, two Senators to be appointed by the President of the Senate, and one member from the State-at-large to be appointed by the Governor. All of the members of the Commission shall be persons familiar with and interested in the operations of the various departments, offices and other activities of the State's affairs, and in the efficient and economical administration of the same.

§ 2. That said Commission shall organize within thirty days after its appointment, by selecting a chairman and secretary from the members. The members shall receive no compensation for their services, but shall be paid their necessary expenses when actually engaged in the performance of duty under this resolution, and such expenses, and those for a stenographer, which the Commission may employ for such days as it may find actually necessary shall be paid upon a sworn statement made by the members to the Governor, who shall direct the Auditor to audit and issue his warrant for the same as is provided by law for similar expenses.

§ 3. That it shall be the duty of said Commission to make a careful study of the administration, business and other methods in vogue in all the departments, offices and other activities of the State's affairs, in comparison with those of other states insofar as information can be obtained

and made profitable, with the view of practical suggestions for securing and promoting greater efficiency and economy in the administration of public affairs, and of preventing duplication of work and expense in and between such departments, offices or other activities. The Commission shall report to the Governor from time to time as may be deemed expedient, and it shall make a full report to the General Assembly of 1916, including a plan for a budget system for all appropriations and expenditures for each biennial period, thereafter, and make such other suggestions as to legislation, by bills or otherwise, and the reasons therefor, as it may deem proper.

Mr. McCormack moved that said resolution be referred to the Committee on Appropriations with leave to report same at 11:00 A. M. tomorrow.

Said motion was agreed to.

The hour of 11:30 A. M. having arrived, the House took up for consideration, the Special Order, viz.:

H. B. 1. An Act empowering Boards of Trustees of all Common Graded Schools, created by the vote of the people, to levy and collect an annual tax for the maintenance, operating and support of the graded schools in their respective districts

Mr. Hall moved that said bill be recommitted to the Committee on Education No. 1, with leave to report on one day's notice.

Said motion was agreed to.

Mr. Phelps offered the following resolution:

House resolution authorizing and directing Committee on Suffrage and Election to prepare and offer a corrupt practice Act.

Whereas, In the public press of last Friday, February 20th, 1914, there was reported a conversation between the junior Senator from Kentucky, the Honorable Ollie James, and the President of the United States, in which the President is said to have expressed surprise that Kentucky has not passed a corrupt practice act, and

Whereas, in that conversation the President stated that the New Jersey law has worked well, and that under said law "if a candidate buys an office he doesn't get it," and in as much as the New Jersey law has this high endorsement, and in as much as corrupt methods in the conduct of political campaigns and elections strike at the very foundations of government; therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the House Committee on Suffrage and Elections, be and it is hereby authorized and directed to examine all the bills introduced in either House of the General Assembly relating to corrupt practices in elections, and also the New Jersey law endorsed by President Wilson, and said Committee is hereby authorized and directed to prepare a bill modeled as far as practicable on the New Jersey law and containing the best features of the bills introduced in either House and bring said bill in as soon as possible, and in all events not later than March 1st, 1914.

Be it further resolved, That the House Committee on Rules be requested to lend its aid to the passage of a corrupt practice act at this session, if, in the judgment of said Committee, a suitable bill is prepared under this resolution.

Said resolution was adopted.

Mr. Judy moved that the rules be suspended; that the House take up for consideration from the orders of the day a bill entitled:

H. B. 494. An Act to amend and re-enact Article 1, Chapter 52 of the Kentucky Statutes, Edition of 1909, being Sections 1833 to 1851 inclusive, entitled, "Fiscal Courts," as amended by an Act entitled "An Act to amend Section 1850 of the Kentucky Statutes, Edition of 1909" being Chapter 116 of the Acts of 1910.

Said motion was agreed to.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1849 be, and the same is hereby amended by striking out the latter part of said section, beginning with the words, "Provided, however," etc., so that said section as amended shall read as follows:

"Section 1849. Term of office of Commissioner—The commissioners shall take the oath of office and enter upon the discharge of their duties, on the first Monday in January after their election and continue in office until their successors are elected and qualified, as hereinafter provided."

§ 2. That said Article 1 of Chapter 52 be, and the same is hereby amended by adding thereto the following provisions, to-wit:

"In counties containing a city of the fourth class which have voted in favor of the Fiscal Court of the county being composed of three commissioners to be elected from the county at large and the County Judge, and in which commissioners have not been elected, there shall be elected at the regular election held in November, 1915, three Commissioners from the county at large, who shall serve for a period

of two years. At the expiration of two years from the time when said Commissioners shall have been elected and at the general election for county offices to be held at that time and every four years thereafter there shall be elected three commissioners for a term of four years. Provided, that the County Judge of any such counties shall, within thirty days after this act takes effect, divide said county into three districts as nearly equal in population as possible and all appointments and elections of Commissioners shall be made from said districts so that the Fiscal Court shall always be composed of the County Judge and one Commissioner from each of the said three districts. In all elections of Commissioners they shall be voted for by the voters of the county at large. Each Commissioner shall receive as full compensation for his services the sum of two hundred and no one-hundredths ($200.00) dollars, per annum, payable quarterly."

§ 3. That said article 1 of Chapter 52 be, and the same is hereby amended by adding thereto the following provision, to-wit:

"All nominations for commissioners to compose the Fiscal Court shall be made by secret ballot at the general primary election to be held next preceding the general election at which such commissioners are to be elected and subject to all the provisions of the general primary law. Each legal voter at said election may vote for one candidate in each district by making a cross in the square opposite the name of each candidate for whom he wishes to vote, the candidates to be arranged upon the ballot by districts. The candidates in number equal to the number of candidates to be elected at the next ensuing general election, who shall receive the highest number of votes with regard to districts as herein provided, shall be declared nominated."

§ 4. That said Article 1 of Chapter 52 be, and the same is hereby amended by adding thereto the following provisions, to-wit:

"All elections for Commissioners to compose the Fiscal Courts of any county containing a city of the fourth class shall be by secret ballot, which ballot shall be prepared, furnished and cast in accordance with the provisions of the general election law, containing the names of those nominated for the office of Commissioner at the preceding general primary election. The candidate or candidates in number equal to the number of commissioners to be chosen, who shall receive the highest number of votes with regard to districts as herein provided, shall be declared elected, one commissioner to come from each district. The provisions of this Act shall not apply to counties not containing a city of the fourth class."

§ 5. Article 1, Chapter 52 of the Kentucky Statutes, Edition 1909, including Chapter 116 Acts 1910 and each section thereof which is not in conflict with the provisions of this act, are hereby re-enacted as herein amended and all Acts or parts of acts in conflict herewith are hereby repealed.

§ 6. If any section of this bill shall be held to be unconstitutional, that fact shall not affect any other section of the Act, it being the intention of the General Assembly in enacting this bill to enact each section separately and if any proviso or exception contained in any section of this bill shall be declared unconstitutional, that fact shall not affect the remaining portion of said section, it being the intention of the General Assembly to enact each section of said bill and each proviso and exception thereto separately.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution,

Those who voted in the affirmative were—

Harry Avery	Frank C. Greene	Harry J. Myers
Wallace Bailey	C. M. Gum	Zach L. Myers
Jas. W. Barrall	E. V. Hall	John E. Newman
Geo. B. Barrett	W. L. Hampton	S. Mazyck O'Brien
Henry C. Blades	V. D. Hammond	Lilburn Phelps
Joseph Boitnott	H. H. Harrington	William A. Perry
Elmer L. Brown	H. H. Hays	John A. Polin
A. T. Bryson	W. E. Henninger	Dr. T. J. Poteet
Glover H. Cary	Dr. S. L. Henry	W. A. Price
Ed. F. Cecil	D. H. Hillman	J. D. Pumphrey
J. G. Coke, Jr.	J. J. Huff	Richard Radcliffe
Benj. L. Cox	R.B.Hutchcraft,Jr.	Dr. W. R. Ray
James R. Dorman	T. R. Jones	Stanley F. Reed
John W. Douglas	John A. Judy	B. T. Rountree
John Drescher	Griffin Kelly	S. M. Saufley
John C. Duffy	Simon B. Lott	Ed. D. Stone
William Duffy	C. R. Luker	Matt.S.Walton,Jr.
M. J. Farris, Jr.	Dr.J.N.M'Cormack	James T. Webb
W. N. Flippin	John McDyer	John F. White
Vert C. Fraser	W. T. McNally	J. D. Wills
Ed. Frost	T. T. Mobley	Roy S. Wilson
John F. Fryer	J. R. Mount	—65

Resolved, That the title thereof be as aforesaid.

Mr. Judy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Drescher moved that the rules be suspended; that the House take up for consideration, from the orders of the day:

H. B. 119. An Act to define the rights and duties of

cities of the first class, in case where said city has heretofore or will hereafter annex new territory.

Said motion was disagreed to.

Mr. Reed moved that the rules be suspended; that H. B. 205 be made a special order for Thursday, at 11:00 o'clock A. M.

Said motion was disagreed to.

The Committee to which the same had been referred reported a bill of the following title:

By Mr. Ray, of the Committee on State Prisons and Houses of Reform:

H. B. 422. An Act to amend an Act of March 5, 1898, entitled, "An Act to create a Board of Penitentiary Commissioners and to regulate the penal institutions of this Commonwealth," as further amended by an Act of March 1, 1912, and to provide for the discontinuance of the contract system of prison labor.

With an amendment thereto.

Without expression of opinion.

Said bill was read the first time at length and ordered to be placed on the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 54. An Act requiring the semi-monthly payment of employes.

H. B. 62. An Act to provide for the payment of wages at least twice in each calendar month.

H. B. 75. An Act to regulate the payment of wages by employers.

H. B. 148. An Act to require all persons, corporations, companies, firms or partnerships to have two regular pay days each month.

H. B. 489. An Act relative to the creation of a fund to aid in the prosecutions of violators of the liquor law.

With an amendment thereto.

H. B. 311. An Act to amend Sections 2282, Chapter 74, Kentucky Statutes.

H. B. 354. An Act to regulate the time of holding of the term of the Circuit Court in the Thirty-fourth Judicial District.

H. B. 388. An Act to amend Article 1 of Chapter 2 of Title 4, of the Civil Code of Practice of this State, relating to service of summons.

H. B. 397. An Act to amend Section 194 of the Civil Code and relating to attachments.

H. B. 360. An Act repealing Section 281 of the Criminal Code of Practice, Carroll's Edition 1909.

H. B. 52. An Act to regulate practice in suits against common carriers and amend Section 113, Sub-section 4 of the Civil Code of Practice.

H. B. 363. An Act to amend Section 69 of the Code of Practice, Criminal Cases.

H. B. 440. An Act to amend an Act entitled, "An Act to incorporate the Kentucky Confederate Home, and providing for the maintenance thereof," approved March 27, 1902, amended March 26, 1904, March 21, 1906, March 19, 1910 and March 18, 1912.

H. B. 540. An Act to amend Sections 3 and 5 of an act entitled "An Act to provide for the enforced attendance of children in the common schools of this Commonwealth," which became a law March 15, 1912.

H. B. 509. An Act to regulate and publish the collection of special school tax in counties where such tax is collected.

H. B. 315. An Act to amend Section 5 of an Act entitled: "An Act to amend Chapter 113, Article 6a, Carroll's Kentucky Statutes, 1909 (page 133, Act of March 24, 1908) Districts, Trustees, Teachers, Taxation" found in Acts of 1912, page 121.

H. B. 443. An Act to prohibit the setting of steel traps, dead falls, snares or other trap or device on the land of another without permission of owner and fixing a penalty for the violation thereof.

H. B. 105. An Act regulating the disposition of all moneys received by the Commonwealth of Kentucky as registration or license fees on automobiles and other motor or electric vehicles.

H. B. 319. An Act requiring that the State Museum, cabinet and also all geological collections belonging to the

State Geological Survey now at Lexington, Ky., be removed to Frankfort, Kentucky.

With amendment thereto by way of substitute therefor.

H. B. 504. An Act to change the name of State University to University of Kentucky.

H. B. 439. An Act to prevent the shipping out of this State and butchering of veal calves.

H. B. 99. An Act to amend Sections 31 and 36 of the Constitution of Kentucky, providing for the Representatives to be elected for four years and for one regular session of the Legislature each four years.

H. B. 269. An Act to prohibit the sale of, or trafficking in bottles, siphons, boxes, tins, kegs and other sorts of packages or containers branded with the brand of the manufacturer or seller of the contents thereof.

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

Mr. John G. Miller, Jr., offered the following resolution:

Whereas, the House of Representatives in executive session, desires to officially express to the Commercial Club of the City of Lexington, the citizens of said city and the officials of the various State institutions situated there and the

students of the State University and all persons who assisted in receiving and entertaining the members of this House in the City of Lexington on the 21st of February last,

Whereas, this House desires to go on record as saying in its opinion the ability of the officials and persons named above can not be excelled in the matter of extending hospitality and cordiality and as acknowledging further that the House realizes the task of entertaining so large a company of people is an undertaking which requires unusual skill in the art of playing hosts and that it wishes the above named officers and citizens to understand the House appreciates the effort and success with which such hospitality was executed; therefore,

Be it resolved, That this House extend its thanks to the City of Lexington, its Commercial Club and citizens and students, in recognition of its enjoyable and instructive day recently spent in said city, and that a copy of these resolutions be spread upon the Journal of this House and a copy of same be published in each daily paper located in the City of Lexington.

Said resolution was adopted.

A message was received from the Governor, announcing that he had approved and signed a resolution which originated in the House, of the following title:

H. Res. 18. "Resolution highly commending and endorsing President Woodrow Wilson and Congress for the untiring efforts put forth in enacting into law, much needed legislation."

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 82. An Act to punish derogatory statements affecting any bank, savings bank, or trust company.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person who shall wilfully and maliciously make, circulate, or transmit to another or others, any false statement, rumor or suggestion, written, printed, or by word of mouth, which is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any bank, saving bank, or trust company doing business in this State, or who shall counsel, aid, procure, or induce another to start, transmit or circulate any such statement or rumor, shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine of not more than five thousand dollars or by imprisonment for a term of not more than five years, or both.

The Committee on Banks and Banking offered the following amendment to said bill:

"Amend by striking out at the end of the bill the words, 'for a term of not more than five years, or both' and substitute therefor the words 'for one year in the State Reformatory or penitentiary, or both such fine and imprisonment, in the discretion of the jury.' "

Said amendment was disagreed to.

Mr. Fraser offered the following amendment to said bill:

"Amend by striking out lines 8, 9 and 10 and insert in lieu thereof the following:

" 'Shall be guilty of a misdemeanor and upon conviction

thereof shall be fined not less than two hundred nor more than one thousand dollars or confined in the county jail not less than twenty nor more than one hundred days, or both fined and imprisoned, in the discretion of the court.' ''

Said amendment was agreed to.

Mr. McNally offered the following amendment to said bill:

''Amend by adding, 'or even to dare to think of anything,' after the word 'mouth' in the third line, and by striking out the words, 'by a fine of not more than five thousand dollars, or by imprisonment for a term of not more than five years,' and adding in lieu thereof the words 'electrocuted, drawn and quartered or imprisoned for a term of not more than twenty years, or both.' ''

Said amendment was disagreed to.

Mr. Luker offered the following amendment to said bill:

''Amend line 8 by substituting 'misdemeanor' instead of 'felony' and amend line 9 by substituting 'one thousand' for 'five thousand'—amend by striking out all the rest of line 9 after the word 'dollars' and all of line 10.''

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays taken on the passage of said bill, in

accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Jas. W. Barrall	W. L. Hampton	Lilburn Phelps
Geo. B. Barrett	V. D. Hammond	William A. Perry
Henry C. Blades	H. H. Harrington	Dr. T. J. Poteet
Joseph Boitnott	Dr. S. L. Henry	W. A. Price
Elmer L. Brown	D. H. Hillman	J. D. Pumphrey
Glover H. Cary	R.B.Hutchcraft,Jr.	Richard Radcliffe
James R. Dorman	T. R. Jones	Stanley F. Reed
John W. Douglas	John A. Judy	S. H. Rogers
John Drescher	Griffin Kelly	S. M. Saufley
William Duffy	William J. Kuh	Adam Spahn
Odie Duncan	John G. Miller, Jr.	Ed. D. Stone
Vert C. Fraser	J. R. Mount	Matt.S.Walton,Jr.
John F. Fryer	Harry J. Myers	J. D. Wills
Frank C. Greene	Zach. L. Myers	
E. V. Hall	A. W. Palmer	—43

Those who voted in the negative were—

Harry Avery	J. M. Johnson	S. Mazyck O'Brien
Wallace Bailey	John H. Klette	Dr. W. R. Ray
Ed. F. Cecil	Simon B. Lott	James T. Webb
J. G. Coke, Jr.	C. R. Luker	John F. White
H. C. Duffy	W. T. McNally	Douglas G. Wood
H. H. Hays	T. T. Mobley	
J. J. Huff	John E. Newman	—19

Resolved, That the title thereof be as aforesaid.

Mr. Douglas moved that the vote by which said bill was passed be reconsidered and said motion lie on the table.

Said motion was agreed to.

Mr. Drescher moved that the House accept the invitation of the Governor to dine with him at the mansion on Wednesday, February 25, 1914, by a rising vote.

Said motion was agreed to, and the invitation by a unanimous vote.

And then the House recessed until 2:00 o'clock.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 73. An Act to amend and re-enact 579 and 584 Kentucky Statutes, Carroll's Edition 1909, so that the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

Mr. Reed moved that said bill be recommitted to the Committee on Banks and Banking with leave to report at any time.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 175. An Act for the protection of Game and Fish, providing for non-resident fishing and trapping license and repealing certain sections thereof, Carroll's 1909 Edition of the Kentucky Statutes, approved March 22, 1910.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Deer, Elk and Buffalo.—No person shall at any time in the State of Kentucky, hunt, pursue, chase, catch, kill, injure, or molest any deer, elk or buffalo. Any person violating this section or any part thereof shall, upon conviction, be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for any period not exceeding thirty days.

§ 2. No person shall at any time in the State of Kentucky have in possession, buy, sell, barter, trade, expose or offer for sale, barter or trade, any deer, elk or buffalo, or any part of any deer, elk or buffalo, directly or indirectly, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Provided, however, that any person may, with the permission of the Game and Fish Commission of Kentucky, have in possession in captivity for the purpose of propagating or domesticating live deer, elk or buffalo and the increase thereof in captivity; and the said Game and Fish Commission of Kentucky may issue permits to have in possession in captivity for such purpose deer, elk or buffalo upon application to it, which application shall contain:

First: The name and address of the applicant;

Second: A description of the premises on which the applicant will keep such domesticated animals;

Third: The number and kind of animals the applicant wishes to have in possession at the time of making the application, and whether they are wild or domesticated.

The application shall be accompanied by a fee of fifty cents for each animal desired to be had in possession. No fee shall be charged for any of the above mentioned animals which have been owned previous to the enactment of this statute; but a fee of fifty cents shall be paid to the Game and

Fish Commission for the increase of the animals possessed before the enactment of this statute.

Any person holding such permit shall annually, on the first day of January of each year, report to the said Game and Fish Commission the increase or decrease had upon the original number applied for, together with a fee of fifty cents for each additional animal.

The Game and Fish Commission shall keep a record of all persons holding such permits, the number and kind of such animals kept by them, and shall send them numbered metal tags, one of which shall be attached to each of the animals by the owner thereof. Any such animal may be sold alive or shipped alive within or without the confines of this State upon receipt of written permission to do so from the said Commission, but such animal must at all times have attached to it the numbered metal tag hereinabove mentioned. and the said permit of sale or shipment shall also, by the owner of such animal, be attached to it or to the crate or box containing it, in plain view, when the same shall be sold or shipped. And provided, further, that nothing herein shall prevent or be construed to prevent a resident of this State from bringing with him into this State and having in his possession for not more than thirty days after it has been brought herein of consumption by himself and family, any deer, elk or buffalo legally killed and possessed by him outside of the State of Kentucky. Any person violating this section or any part thereof shall, upon conviction thereof, be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for any period not exceeding thirty days.

§ 3. Dogs Hunting or Chasing Deer.—Every person who owning, controlling, or having in his possession, any dog or dogs and uses or knowingly suffers, permits or allows such dog or dogs to run, track, trail, or injure any deer, elk or buffalo, at any time, shall, upon conviction be fined not less

than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days. And any dog or dogs used, attempted to be used for or found running, chasing, tracking, trailing or injuring any deer, elk or buffalo, is hereby declared to be a public nuisance, and it shall be lawful for any person to kill any such dog or dogs.

§ 3a. Bird Dogs, Hunting During Closed Season.—Every person owning, controlling, or having in his possession, any bird dog, or dogs, and who uses or knowingly suffers, permits or allows such dog, or dogs, to run at large during the months of April, May, June, July, August, September and October, unless such dog, or dogs, are muzzled, shall, upon conviction, be fined not less than five dollars nor more than ten dollars for each offense, and each day or part thereof may be charged as separate offense.

§ 4. Breaking and Entering Park or Enclosure for Game.—If any person shall wrongfully break or enter any park, enclosed ground or any game preserve, stocked with or used for keeping any of the birds, animals or water fowls protected by this act, by the Game and Fish Commission of Kentucky, or by any person with the permission of the said Commission, or hunt, drive, or chase, take out, maim, injure, or kill any bird, animals or water fowl therein, he shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days, and shall pay to the Commission or person so aggrieved three times the amount of the damage sustained.

§ 5. Killing or Wounding Tame Deer.—Any person who shall kill, or wound a tame or pet deer, not his own, having a bell or collar on, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days, and shall pay the owner three times the value of such deer.

§ 6. Squirrel.—No person shall, between the first day of February and the fourteenth day of June, both days inclusive, in any year, injure, catch, kill, or pursue with such intent, any squirrel, or buy, sell, barter, trade, or offer or expose for sale, barter, or trade, or have in possession, dead or alive, any squirrel or any part of any squirrel, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 7. Wild Geese, Ducks, Brant, Rails, Coots, and Other Water Fowl.—No person shall, between the sixteenth day of January and the thirtieth day of September, both days inclusive, of any year, injure, catch, kill, or pursue with such intent, any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl, or buy, sell, barter, or trade, or expose or offer for sale, barter, or trade, or have in possession, dead or alive, any wild goose, wood-duck, teal or other wild duck, brant, rail, coot or other wild water fowl, or any part of any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Provided, however, that any person may, with the permission of the Game and Fish Commission of Kentucky, have in possession in captivity for the purpose of propagating or domesticating live wild ducks, and the increase thereof in captivity; and the said Game and Fish Commission may issue permits to have in possession in captivity live wild ducks for such purpose, upon application to it, which application shall contain:

First.—The name and address of the applicant.

Second.—A description of the premises on which the applicant will keep such domesticated wild ducks.

Third.—The number and kinds of ducks the applicant

wishes to have in possession at the time of making the application, and whether they are wild or domesticated.

The application shall be accompanied by a fee of ten cents for each duck desired to be had in possession. No fee shall be charged for any wild geese, ducks, brant, coots and other wild fowls, which were owned previous to the enactment of this statute, but a fee of ten cents shall be paid to the Game and Fish Commission on the increase of the birds above mentioned in Section 7. The said Commission may thereupon issue a permit to the applicant to keep such ducks in possession.

Any person holding such permit shall annually, on the first day of January of each year, report to the said Game and Fish Commission the increase or decrease had upon the original number applied for, together with a fee of ten cents for each additional duck.

The Game and Fish Commission shall keep a record of all persons holding such permits, the number and kind of such ducks kept by them, and shall send to them numbered metal tags, one of which shall be attached to each of the ducks by the owner thereof. Any such duck may be sold or shipped within or without the confines of this State upon receipt of written permission to do so from the said Commission, but such duck must at all times have attached to it the numbered metal tag hereinabove mentioned, and the said permit or sale or shipment shall also, by the owner of such duck. be attached to it or to the crate, box, or package containing it, in plain view, when the same shall be sold or shipped. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 8. Hunting After Sunset.—No person shall. at any time between sunset of any day and sunrise of the succeeding day, shoot, kill, or pursue with the purpose of killing or shooting, any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl. Any person vio-

lating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 9. Hunting With Boats.—No person shall, at any time, pursue or hunt any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl, with or by means of a naptha, electric or steam launch or boat, or any other kind of boat, except a boat propelled by hand. Any person violating this section or any part thereof shall, upon conviction, be fined not less than twenty-five dollars nor more than fifty dollars for each offense.

§ 10. Wild Turkey.—No person shall, at any time, in the State of Kentucky, within four years from and after the passage of this act, injure, catch, kill, or pursue with such intent, any wild turkey, or buy, sell, barter, trade, or offer or expose for sale, barter, or trade, or have in possession, dead or alive, any wild turkey, or any part of any wild turkey, no matter when or where caught or killed, whether caught or killed in this State or in another State, territory, country or place. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 11. Woodcock.—No person shall, between the first day of January and the thirty-first day of October, both days inclusive, in any year, catch, kill, injure, or pursue with such intent, any woodcock, or buy, sell, barter, trade or offer or expose for sale, barter, or trade, or have in possession, dead or alive, any woodcock or any part of any woodcock, no matter when or where, caught, killed or taken, whether caught or killed in this State, or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 12. Quail, Partridge, Grouse.—No person shall, between the second day of January and fourteenth day of November, both days inclusive, in any year, catch, kill, injure, or

pursue with such intent, any quail, partridge or grouse, or have in possession any quail, partridge or grouse or any part of any quail, partridge or grouse, dead or alive, no matter when or where caught or killed, whether caught or killed in this State, or in any other State, territory, country or place. Any person violating this section or any part thereof, shall, upon conviction, be fined not less than ten nor more than twenty dollars for each offense.

§ 13. Quail, Partridge, Grouse—Sale Prohibited.—No person shall in this State at any time buy, sell, barter, trade, or offer or expose for sale, barter or trade, or have in possession for the purpose of selling, bartering or trading, any quail, partridge or grouse or any part of any quail, partridge or grouse, no matter when or where caught or killed, whether killed in this State or in any other State, territory, country or place. Provided, however, this section shall not apply to Hungarian partridge hereinafter provided for. Any person violating this section or any part thereof shall, upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 14. Quail, Partridge, Grouse—Bag Limit.—No person shall shoot, kill, or have in possession more than fifteen quail, or fifteen partridges, or fifteen grouse, or more than fifteen quail, partridges and grouse combined, in any one day between the fifteenth day of November of any year and the first day of January of the succeeding year, both days inclusive. Provided, however, that any person having hunted two days in succession may have in possession a total of not to exceed thirty partridges, quail and grouse, killed by himself during such hunt, and any person having hunted more than two days in succession may have in possession a total of not to exceed fifteen quail, partridges and grouse per day, killed by himself for each day during such hunt. Any person violating this section or any part thereof shall, upon conviction be fined ten dollars for each bird so shot, killed or

possessed, in excess of the number allowed him by this section.

§ 15. Rabbits.—No person shall, between the 1st day of February and the 14th day of November, both days inclusive, in any year, injure, catch, kill, or pursue with such intent, any rabbit, or buy, sell, barter or trade, or offer or expose for sale, barter or trade, or have in possession, any rabbit, dead or alive, or any part of any rabbit, no matter where caught or killed, whether caught or killed in this State or in any other State, territory, county or place: *Provided, however,* anyone may catch rabbits with dogs, or in traps, upon their own property for their own use, but said rabbits, or parts thereof, cannot be sold, bartered or traded, or offered or exposed for sale, barter or trade. Any person violating this section, or any part thereof, shall, on conviction, be fined not less than five nor more than twenty dollars for each offense.

§ 16. Doves.—No person shall, between the second day of January and the thirty-first day of August, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any dove, or have in possession, alive or dead, any dove or any part of any dove, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 17. Doves—Sale Prohibited.—No person shall at any time in this State, buy, sell, barter, trade, or offer or expose for sale, barter or trade, or have in possession for the purpose of selling, bartering or trading, any dove or any part of any dove, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined not

less than ten dollars nor more than twenty dollars for each offense.

§ 18. Doves—Bag Limit.—No person shall shoot, kill or have in possession, more than fifteen doves in any one day between the first day of September and the second day of January, of the succeeding year, both days inclusive, of any year; provided, however, that any person having hunted two days in succession may have in possession a total not exceeding thirty doves killed by himself during such hunt, and any person having hunted more than two days in succession, may have in possession a total of not to exceed fifteen doves per day killed by himself during such hunt. Any person violating this section or any part thereof shall upon conviction be fined ten dollars for each dove so shot, killed or possessed, in excess of the number allowed by this section.

§ 19. Pheasants, Prairie-Chickens, Hungarian Partridges.—No person shall at any time in this State, catch, kill, injure, or pursue with such intent, any pheasant, prairie-chicken, or Hungarian partridge, or buy, sell, barter or trade, or offer or expose for sale, barter or trade, or have in possession, alive or dead, any pheasant, prairie-chicken, or Hungarian partridge, or any part of any pheasant, prairie-chicken, or Hungarian partridge, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place; provided, however, that any person may, with the permission of the Game and Fish Commission of Kentucky, have in possession in captivity for the purpose of propagating or domesticating live English ring-neck pheasants, Mongolian pheasants, Chinese pheasants, Japanese pheasants, copper pheasants or Scholmeringers, any Hungarian patridge, or prairie-chicken, and the increase thereof, in captivity; and the said Game and Fish Commission may issue permits to have in possession in captivity live English ring-neck pheasants, Mongolian pheasants, Chinese pheasants, Japanese pheasants, copper pheasants, or Schol-

meringers, and Hungarian partridges, or prairie-chickens, for such purpose, upon application of it, with application shall contain:

First—The name and address of the applicant.

Second—A description of the premises on which the applicant will keep such domesticated birds.

Third—The number and kinds of such birds the applicant wishes to have in possession at the time of making the application and whether they are wild or domesticated.

The application shall be accompanied by a fee of ten cents for each bird desired to be had in possession. No fee shall be charged for any of the above mentioned birds, which were owned previous to the enactment of this statute, but a fee of ten cents shall be paid to the Game and Fish Commission on the increase of the birds possessed before the enactment of this statute. The said Commission may thereupon issue a permit to the applicant to keep such birds in possession. Any person holding such permit shall annually on the first day of January, report to the said Game and Fish Commission the increase or decrease had upon the original number applied for, together with a fee of ten cents for each additional bird. The Game and Fish Commission shall keep a record of all such persons holding such permits, the number and kinds of birds kept by them, and shall send them numbered metal tags, one of which shall be attached to each of the birds by the owner thereof. Any such bird may be sold or shipped within or without the confines of this State upon receipt of written permission to do so from the said Commission, but such bird must at all times have attached to it the numbered metal tag above mentioned, and the said permit of sale or shipment shall also, by the owner of such bird, be attached to it or to the crate, box or package containing it, in plain view, when the same shall be sold or shipped. Any person violating this section or any part thereof shall, upon conviction, be fined

not less than ten dollars nor more than twenty dollars for each offense.

§ 20. Trapping, Snaring Prohibited.—No person shall at any time catch, kill or take, by means of any trap, box, snare, artificial light, net, bird lime, swivel gun, set gun, or any contrivance or device whatever, or in any other manner than by shooting them with a gun held to the shoulder of the person discharging the same, any bird, animal or water fowl, mentioned in and protected by this act, or by any law of this State relating to fish or game, or buy, sell, barter, trade, or offer or expose for sale, barter or trade, or have in possession dead or alive, after having been so caught, killed or taken, any of the birds, animals or water fowls, or any part of any bird, animal or water fowl, mentioned in and sought to be protected by this act, no matter when or where caught or killed, whether caught or killed in this State, or in any other State, or in any other State, territory, country or place. Provided, however, that rabbits may be caught or killed with dogs or in snares; and beaver, mink, otter, raccoon opossum, skunk, and musk rat, may be caught or killed with traps, and decoys and stationary blinds may be used in hunting wild geese, brant, and ducks, at any time during which it is lawful to catch or kill them, respectively in this State; and during the time when it is lawful to catch or kill rabbits, any person may have in possession and sell rabbits killed or caught with dogs or in snares; and during the time when it is lawful to catch or kill wild geese, brant, and ducks, any person may have in possession wild geese, brant and ducks caught or killed with the use of decoys and stationery blinds; and during the time when it is lawful to catch or kill beaver, mink, otter, raccoon, opossum, skunk and musk rat, any person may have in possession and sell any of said last-named animals, though caught in traps. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 21. Traps, Snares, Lights—Possession Prohibited.—No person shall at any time set, lay, prepare, or have in possession any trap, box, snare, artificial light, net, bird lime, swivel-gun, set-gun, or any contrivance or device whatever for the purpose of or which may be used for catching, taking, or killing, attracting or deceiving any of the animals, birds or water fowls mentioned in and sought to be protected by this act, or by any law of this State relating to fish or game; and all such traps, boxes, snares, artificial lights, bird lime, swivel-guns, set-guns, materials, devices, and contrivances, are hereby declared to be and they are a public nuisance. And the Game and Fish Commission, Executive Agent, all game wardens, all other persons appointed by said Commission and all peace officers and their deputies, shall without warrant or process, take, seize, abate and destroy any and all of the same where ever found, whether being used or not. And no liability therefor shall be incurred by any person. Provided, however, that decoys and stationary blinds may be possessed and used in hunting wild geese, brant and ducks; and that dogs and snares may be possessed and used in hunting and catching rabbits; and that traps may be possessed and used in catching and killing mink, beaver, otter, raccoon, opossum, skunk and musk rat. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 22. Hunting with Ferrets Prohibited.—No person shall at any time hunt, attempt to hunt, catch, kill, or in any manner take, any rabbit or other species of game anywhere in this State, with or by means of any ferret. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 23. Nest or Eggs of Wild Birds.—No person shall take, rob or destroy the nest or eggs of any wild bird whatsoever or have such nest or eggs in his or her possession, except

as permitted by this act. Any person violating this section or any part thereof shall upon conviction be fined not less than five dollars nor more than twenty dollars for each offense.

§ 24. Birds Not Protected.—The English or European house sparrow, great horned owl, sharp shinned hawk, Cooper's hawk, bluejay, crow and crow blackbird are not included among the birds protected by this act.

§ 25. Each Violation a Separate Offense.—Each bird, water fowl or animal or part of each bird, water fowl or animal, caught, killed, had in possession, bought, sold, bartered, traded, offered or exposed for sale, barter or trade, received for transportation, transported, taken or carried, or had in possession with intent to transport or carry, or offered for transportation, or caused to be transported or carried, contrary to the provisions of this act, shall constitute a separate and distinct offense, and shall be punished accordingly; and two or more offenses may be joined in the same warrant or indictment therefor; and the person so offending, if convicted, shall be fined for each offense.

§ 26. Transportation or Possession Unlawful—Except as to Hunters.—It shall be unlawful for any firm, association, corporation, express company, transportation company or other common carrier or any of its officers, servants or agents, or for any other person, to receive for transportation or transport, or to carry or to cause to be transported or carried, or to have in possession with the intention to tansport or carry, or to deliver or offer to deliver for or secure the transportation or carrying of, within this State or beyond the confines thereof or out of this State, any wild turkey, pheasant, grouse, quail, partridge, dove, prairie chicken, woodcock, deer, elk, buffalo, wild duck, brant, wild goose, or other wild water fowl or any part of any wild turkey, pheasant, grouse, partridge, quail, dove, prairie chicken, wookcock, deer, elk, buffalo, wild duck, brant, wild goose, or other wild water fowl. Provided, however, that it shall not be unlawful for any person, firm, associa-

tion corporation, transportation company, or other common carrier, to transport a hunter with his game lawfully killed and possessed by him; and provided further, that it shall not be unlawful for a hunter to carry with him his game lawfully killed and possessed by him; and provided further, that it shall not be unlawful for any person, firm, association, corporation, transportation company, or other common carrier, to transport, carry, or ship the deer, elk or buffalo, provided for in section 2 of this Act, or the ducks provided for in section 7 of this act, or the pheasants and Hungarian partridges provided for in section 19 of this act. Any person, firm, association, corporation, express company, transportation company, or any other common carrier, or any of its servants, agents, employees or officers, violating any of the provisions of this section, shall upon conviction be fined one hundred dollars for each deer, elk or buffalo, or for any part of any deer, elk or buffalo, transported, taken, carried, or offered or received for the purpose of being transported, taken or carried, or caused to be taken, transported or carried, or had in possession with the intent to take, transport or carry; fifty dollars for each pheasant of any kind or species, or wild turkey, or for any part of any pheasant or wild turkey, so transported, taken, carried or offered or received for the purpose of being taken, transported or carried, had in possession with the intent to take, transport or carry, or caused to be taken, transported or carried; and ten dollars for each quail, dove, wild duck, brant, wild goose, or other wild water fowl, grouse, prairie chicken, woodcock or partridge, or any part of any quail, dove, wild duck, brant, wild goose, or other wild water fowl, grouse prairie chicken, woodcock, or partridge, transported, taken or carried, offered, or received for the purpose of being transported, taken or carried, had in possession with the intent to take, transport or carry, or cause to be taken, transported or carried.

§ 27. Imitating or Destroying Tag or Seal.—Any person

who shall imitate, counterfeit or duplicate any tag or seal, or destroy or deface any tag or seal attached to any bird, or animal, or to any part of any bird or animal, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty days nor more than fifty days, for each tag, or seal, imitated, duplicated, counterfeited, defaced or destroyed.

§ 28. Magistrates and Judges—Duty and Powers of.—Any judge, justice of the peace, police judge or other magistrate, upon receiving sufficient proof by affidavit that any of the provisions of this act have been violated by any person being temporarily within his jurisdiction, but not residing therein permanently or by any person whose name or residence is unknown, is hereby authorized and required to issue his warrant for the arrest of such person, and cause him to be held to bail to answer the charges against him.

§ 29. Mayor and Market Masters—Penalty of Officer Failing to do Duty.—It is hereby made the duty of the several mayors of the several cities and towns within this Commonwealth to require their respective police, town marshals, or constabulary force, and it is hereby made their duty, as well as the duty of all market masters or clerks of markets of any cities or towns, to diligently search out and arrest or have arrested, as for a misdemeanor, all persons violating any of the provisions of this act by having any game mentioned herein unlawfully in their possession, or offering or exposing the same for sale, barter or trade during any of the periods during which the killing or sale of such game is prohibited. And any officer whose duty be to enforce the provisions of this act, who shall fail or refuse, upon sufficient information, to discharge the duties imposed upon him by this act, shall be held guilty of misfeasance in office, and shall upon con-

viction thereof, be punished by a fine of not less than twenty dollars nor more than fifteen dollars for each offense.

§ 30. Unlawful to Kill, Purchase or Have in Possession Birds, or Plumage of, Except Game Birds.—No person shall within this State at any time catch, kill, or pursue with such intent, or have in his possession, living or dead, any thrush, meadow lark, finch, marten, swallow, wood-pecker, flicker, oriole, redbird, tanager, catbird, bluebird, or other song or other insectivorous bird, or wild bird, whatsoever, other than a game bird, or purchase, offer, or expose for sale, transport or ship, within or without the State, any song, insectivorous or wild bird after it has been killed or caught, except as permitted by this act. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale.

For the purpose of this act the following only shall be considered game birds:

The Anatidae, commonly known as swans, geese, brant, and river and sea ducks; the Rallidae, commonly known as rails, coots, mud hens and gallinules; the Limicolae, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; the Gallinae, known as wild turkeys, grouse, prairie chickens, pheasants, partridges, and quail; and the species of Columbinae, commonly known as mourning doves; any person violating this section or any part thereof shall upon conviction be fined five dollars for each offense; or shall be imprisoned in the county jail not less than five days, nor more than thirty days for each offense; or shall be subject to both such fine and imprisonment at the discretion of the court. Provided, however, that nothing herein contained shall be construed to prevent the keeping and sale of song birds as domestic pets.

§ 31. Persons Exempt From This Act.—Sections 23, 26 and 30 of this act shall not apply to any person holding a certificate giving him the right to take birds, their nests or eggs, for scientific purposes as provided for in section 32 of this act.

§ 32. Certificate of Exemption—Application for.—Certificates may be granted by the Game and Fish Commission of Kentucky to any properly accredited person of the age of eighteen years or upward; permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. In order to obtain such a certificate the applicant for the same must present to the Game and Fish Commission written testimonials from two well-known scientific men, certifying to the good character and fitness of said applicant to be entrusted with such privilege; must pay to the Game and Fish Commission one dollar to defray the necessary expenses attending the granting of such certificate, and must file with said Game and Fish Commission, a properly executed bond, in the sum of Two Hundred Dollars, signed by two responsible citizens of the State as sureties, or by a responsible indemnity or surety company as surety. On proof that the holder of such certificate has killed any bird, or taken the nest or eggs of any bird, for other than scientific purposes, this bond shall be forfeited to the State, and the certificate become void, and such holder shall be further subject for each such offense to the penalties provided therefor in section 32 of this act.

§ 33. Certificates Not Transferable—Time In Force.—The certificate above mentioned in section 34 of this act shall be in force only during the calendar year in which issued and shall not be transferable.

Fur-Bearing Animals.

§ 34. Fur-Bearing Animals.—No person shall take, trap, hunt, shoot or kill any beaver, mink, raccoon, otter, opossum, skunk, fox or musk-rat, in the State of Kentucky, during the months of April, May, June, July, August, September and October of any year; provided, however, that when any of the animals mentioned in this section are found injuring or doing damage to, or destroying any property,

the person whose property is being damaged, injured or destroyed may kill them when necessary for the protection of their property. Any person violating this section or any portion thereof shall, upon conviction, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

§ 35. Musk Rat House.—It shall be unlawful for any person to injure or destroy any musk rat house at any time except where such musk rat house is an obstruction to public or private ditches or water courses. Any person violating this section shall upon conviction thereof be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than two dollars nor more than five dollars for each offense.

§ 36. Non-Resident Trapper's License.—It shall be unlawful for any non-resident of this State, alien, or person who has not resided in this State for one year, to trap any beaver, mink, otter, raccoon, opossum, skunk, or musk rat, in this State, unless he shall have first procured a license so to do. It shall be the duty of the clerk of the county court of any county of this State to issue such license to any non-resident, alien, or person who has not been a resident of this State for one year, upon the application of such person. Such license shall contain a statement of the name, age, place or residence, post-office address, height, color, color of his or her eyes and hair, and distinctive marks of such licensee, and shall be signed by him or her in ink, and shall entitle the person named therein to trap mink, beaver, otter, raccoon, opossum, fox and musk-rat anywhere in the State of Kentucky during the calendar year. The Game and Fish Commission of Kentucky shall furnish and deliver all necessary applications and licenses to said clerks ten days before the first day of January in each year and shall charge each clerk with the number of licenses issued to him. Before the issuance of any such license, the applicant shall pay to the said clerk the sum of ten

dollars. The county clerk shall retain of the money received for each non-resident trappers' license issued by him the sum of fifteen cents, which shall cover all services rendered by him under this section and he shall pay the balance to the State Treasurer on the first of each month, which amount shall be credited to the Game and Fish Protection Fund; and the said county clerk shall report to the Game and Fish Commission on the first day of each month the number of non-resident trappers' licenses issued by him and the amount of money remitted to the State Treasurer. And any non-resident, alien or person who has not been a resident of this State for one year, who traps, or sets any trap, anywhere in this State without first obtaining a license permitting him or her to do so, or any such person who lends or transfers his or her license to another, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not exceeding thirty days; provided, however, that nothing herein contained shall be construed as allowing any person holding such license to go upon, trap or set any trap upon the land of another without first obtaining the written permission of the owner or occupant of said land so to do.

§ 37. Must Have License In Possession and Exhibit It.—No person to whom a non-resident trapper's license is issued under the foregoing section, shall be entitled to trap or set any trap anywhere in this State without, at any time of such trapping or setting of said trap, he has his license in his possession and exhibits same to anyone demanding to examine it. Any person violating this section or any part thereof shall upon conviction be fined not less than twenty-five dollars for each offense.

§ 38. Trapping or Snaring on Lands of Another.—No person shall trap, snare, or set, place or construct, any snare, dead fall or trap, on the lands of another without the written consent of the owner or occupant of said land. Any person

violating this section or any part thereof shall upon conviction be fined not less than five dollars nor more than twenty dollars for each offense.

§ 39. Possession Prima Facie Evidence.—Having in possession any of the animals mentioned in section 38 of this act, which have been caught or killed in snares, dead falls or traps, shall be prima facie evidence of guilt under section 38 of this act.

§ 40. Hunting or Fishing On Enclosed Lands of Another Prohibited.—Any person who shall enter upon the enclosed lands of another for the purpose of shooting, hunting or fishing, without the consent of the owner or occupant of said lands shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

§ 41. Injuring Fish Pond—Fishing Private Pond Without Leave.—No person shall break or cut down, cut out or destroy any head or dam of any pool, pond, moat, stew, stagnet or pit, wherein fish are or shall be put or stored by the owner or person in possession thereof, nor shall wrongfully and without leave fish in any of the places above enumerated, or catch, kill or take any of the fish therefrom. Any person violating this section or any part thereof shall upon conviction be fined not exceeding fifty dollars, to which may be added imprisonment in the county jail for a term not exceeding three months, and pay the party aggrieved treble the damages sustained.

§ 42. Poisoning Fish.—No person shall place or caused to be placed in any stream, pool, pond, dam, back water, or any other waters of this State or assist in so doing, any liquid, berries, powder, medicine, drug, medicated bait or any poisonous or injurious substance whereby fish, great or small, are or may be sickened, intoxicated, stupefied or killed, or the waters rendered unfiit for use or stench be produced. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than

one hundred dollars, for each offense, to which may be added imprisonment in the county jail for a term not less than thirty days nor more than six months.

§ 43. Dynamite and Explosives Prohibited.—No person shall place, or cause to be placed, in any waters of this State, or assist in so doing, any dynamite, gun powder, or other explosive agent or substance or compound, except for mining or mechanical purposes by and with the written permission of the Game and Fish Commission of Kentucky. Any person violating this section or any part thereof shall upon conviction be fined not less than fifty dollars nor more than one thousand dollars, to which may be added imprisonment in the county jail for a term not less than thirty days nor more than one year; and for a second or subsequent offense, he shall be fined five hundred dollars and imprisoned in the penitentiary for a term not less than one year nor more than three years.

§ 44. Polluting Waters.—No person shall place, discharge, or deposit, nor shall cause or suffer or allow to be placed discharged or deposited, or shall pass or allow to pass, or place where it can pass in or into any of the waters of this State, any coal tar, refuse or residuary product of coal, petroleum, asphalt, bitumen, or other carbonaceous material or substance. Any person violating this section or any part thereof shall upon conviction be fined not less than two hundred and fifty dollars nor more than one thousand dollars for each offense, to which may be added imprisonment in the county jail for a term not exceeding six months; and each day's violation of any of the provisions of this section shall constitute a separate and distinct offense.

§ 45. Polluting Waters.—No person shall place, discharge or deposit or shall cause, allow, or suffer to be placed, discharged or deposited or shall pass or allow to pass, or place where it can pass in or into any of the waters of this State any lime, gas, oil, acid, tar, cocculus indicus, slag, sawdust, shavings, slabs, edgings, mill or brewery or refinery or factory

or distillery refuse, or any substance deleterious to fish. Any person violating this section shall upon conviction, be fined not less than fifty dollars nor more than one thousand dollars for each offense, to which may be added a term of imprisonment in the county jail not less than thirty days nor more than six months; and each day's violation of any of the provisions of this section shall constitute a separate and distinct offense.

§ 46. Dams—Fish Ladders.—The owner or owners of any dam constructed across any of the waters of this State, when such dam is of the height of four feet or over, shall, within six months after the passage of this act, construct and maintain fish ladders on such dam sufficient to allow the fish below such dam to pass over such dam into the waters above the same. Such fish ladders to be constructed in such manner and of such material as shall be directed by the Game and Fish Commission of Kentucky. Any person violating this section or any part thereof shall upon conviction be fined not less than twenty-five dollars nor more than one hundred dollars for each offense. Provided, however, that this section shall not apply to locks and dams constructed across large rivers to facilitate navigation.

§ 47. Fish Ladder—Repairing.—When any such fish ladder shall get out of repair it shall be the duty of the owner or owners thereof to put the same in repair within thirty days after being notified by the Game and Fish Commission or any game warden so to do. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than one hundred dollars for each offense; and every day such fish ladder shall remain out of repair after the expiration of said thirty days, shall constitute a separate offense.

§ 48. Catching Fish Near Fish Ladders.—No person shall construct any fish trap or other device for catching fish, or shall shoot, spear, gig, or in any manner take or kill

any unnaturalized foreign-born person, and promptly forward such fowling piece or rifle to the office of the Game and Fish Commission at Frankfort, Kentucky, together with a statement giving name of the person from whom seized, and any fowling piece or rifle so taken from any unnaturalized foreign-born person shall be declared contraband and forfeited to the said Game and Fish Commission to be disposed of as is provided by law for other illegal hunting and fishing appliances.

Any person violating any of the provisions of this section shall, upon conviction, be fined not less than fifty ($50.00) dollars nor more than one hundred ($100.00) dollars, to which penalty may be added imprisonment not exceeding sixty days at the discretion of the court before whom such offense is tried.

§ 62. Laws Repealed.—That sections 1250, 1251, 1252, 1253, 1392a, 1392b, 1894, 1895, 1896, 1897, 1898, 1899, 1900,1101. 1902, 1903, 1904, 1905, 1939, 1940, 1941, 1942, 1943, 1944, 1944a, 1944b, 1944c, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1954a, and 1954b of the Kentucky Statutes, Carroll's Edition 1909, and an Act approved March 22, 1910, to amend section 1896 of the Kentucky Statutes, and an Act approved March 16, 1910, amending section 1944a, of the Kentucky Statutes, and all other laws and parts of laws in conflict with the provisions of this Act, or of any of them, are hereby repealed.

An affidavit for hunting license may be made before any notary public, justice of the peace, or any person authorized to acknowledge affidavits. The expense of making such affidavits to be borne by applicant in addition to the regular fee of $1.00 provided for the issuance of hunters' license by the county clerks.

Mr. Douglas offered the following amendment to said substitute:

§ 59. Terms Defined.—The words "sell" and "sale" as used in this Act shall be construed as meaning any sale or offer to sell, barter or trade or having in possession with intent to sell, barter or trade, or use or dispose of the same contrary to law. The word "person" shall be construed to include persons, partnerships, associations and corporations. The word "possession" shall be construed to include both actual and constructive possession, as well as control of the thing referred to. The term "waters of this State" shall be construed to include all the boundary waters of this State, overflow, backwaters, and every other kind of waters except as otherwise expressly stated in this Act. And the provisions of this Act shall be deemed to extend and be in force and effect over, upon and in all waters thereof.

§ 60. Each Violation A Separate Offense.—Each fish killed, caught or taken, or had in possession, bought, sold, bartered, traded, offered or exposed for sale, barter or trade, received or offered or delivered for transportation, transported, taken or carried, contrary to any of the provisions of this Act, and each net, trap, contrivance, device for catching or killing fish, each spear, or gig, had in possession, used, placed or located, contrary to any of the provisions of this Act, shall constitute a distinct and separate offense, and shall be punished accordingly; any two or more offenses may be joined in the same warrant or indictment therefor; and the person so offending shall be fined for each offense.

§ 61. It shall hereafter be unlawful for any unnaturalized, foreign-born person to hunt, pursue, injure, or kill, or attempt to hunt, pursue, injure, or kill, any wild bird or wild animal, or to own, or have in possession, any fowling piece or rifle within the Commonwealth of Kentucky.

It is hereby made the duty of sheriffs, constables, game wardens and police officers to seize and take into their possession any fowling piece or rifle found in the possession of

part of the Big Sandy, Tennessee or Mississippi Rivers, respectively, as form the boundary line between Kentucky and any other State, and no liability therefor shall be incurred by any person. And provided, further that this section shall not apply to owners of private ponds who keep a seine for use in such ponds only; and provided further, that this section shall not apply to minnow traps, or minnow seines, not more than ten feet long and four feet in depth, the meshes of which are not larger than one-fourth of an inch.

§ 55. Failure to Pay Fine.—Any person having been found guilty of violating any section or any part of any section of this Act and fined therefor, shall on failure to pay such fine, be confined in the county jail or workhouse, or placed at labor on any of the public works of the county in which he is convicted and fined, for a length of time not exceeding one day for every two dollars of said fine.

§ 56. Circuit Judges to Charge Grand Juries.—It shall be the duty of the judge of all circuit courts of the respective counties of this State to give special charge of this Act and of all fish and game laws to each grand jury of said court.

§ 57. Fee Taxed As Costs.—In all cases of conviction or on pleas of guilty of violating any of the provisions of this Act, or of any law in relation to or for the protection of fish, birds or animals, there shall be taxed against each defendant, in favor of the Game and Fish Commission, a fee of five dollars, as part of the costs; said fee shall be promptly paid by the officers collecting the same to the State Treasurer and shall be credited by him to the Game and Fish Protection Fund.

§ 58. Game and Fish Commission's Powers Not Abridged.—Nothing contained in this Act shall in any way abridge or repeal the powers or privileges conferred on the Game and Fish Commission by the Act creating said Commission, approved March 12, 1912; but all powers and privileges conferred on said Commission by said Act are hereby re-affirmed and said Act is hereby re-affirmed.

thirty days; and every day's possession of such articles, or any of them, shall constitute a separate and distinct offense under this section; and all seines, nets, traps, spears, gigs, and other devices for taking fish, are hereby declared to be a public nuisance and the Executive Agent, any game warden, or other person appointed by the Commission, or peace officer or his deputy, shall without warrant or process, take, seize, abate and destroy any and all of the same, wherever found, whether in use or not. And no liability therefor shall be incurred by any person. Provided, however, that this section shall not apply to persons who have in their possession nets, seines, traps, or other fishing tackle for the purpose of taking fish from the Ohio River, or from so much of the Big Sandy River, Tennessee River, and the Mississippi River, respectively, as form any part of the boundary line between Kentucky and any other State; but it shall apply to the overflow and the backwater of said rivers. And provided, further, that persons having such nets, seines, traps and other devices for use in the Ohio River, or in so much of the Big Sandy River, Tennessee River, or the Mississippi River, as form any part of the boundary line between Kentucky and any other State, shall keep the same within one mile of such river; and shall not permit the same to be or remain in or on, or on the shore or bank of any other water of this State. And any net, seine, trap, or other device for taking fish, located or found in, on, or on the shores or banks of any of the waters of this State, excepting the Ohio River, and so much of the Mississippi River, Tennessee River and Big Sandy River, respectively, as form the boundary between Kentucky and any other State, is hereby declared to be a public nuisance, and any game warden or executive agent or person appointed by the Commission, or peace officer shall, without warrant or process, take, seize, abate and destroy any and all of the same so located or found, although it be within one mile of the Ohio River, or within one mile of that

himself, in a lawful manner, beyond the limits of this State; which said fish shall be carried by such person openly for inspection by any peace officer or any warden or agent of the Game and Fish Commission of Kentucky. And provided, further, that before any common carrier or any other person shall transport or carry any fish from private ponds, the owner of such pond shall present and deliver to said common carrier or other person an affidavit stating that said fish was taken from his private pond; said common carrier or other person to whom the affidavit shall be delivered shall immediately send to the Game and Fish Commission a copy of said affidavit together with a written statement showing the name and address of the consignor, the name and address of the consignee, the date of shipment and the weight and description of the package. Any person violating this section or any part thereof shall, upon conviction, be fined ten dollars for each fish transported, taken or carried, or received for the purpose of transporting, taking or carrying, or delivered, or offered for delivery, or had in possession for the purpose of having transported, taken or carried, beyond the limits or confines of this State. And in addition to the above mentioned fine, any common carrier or person who fails to send said copy of said affidavit and said written statement herein mentioned to the same Game and Fish Commission as herein required, shall, upon conviction, be fined not less than fifty dollars nor more than one hundred dollars for each offense.

§ 54. Seines, Nets, Traps, Spears, Etc., in Possession —Destruction of.—Whoever has in his possession any seine, wing-net, gill-net, dip-net, trammel-net, or any kind of net, spear, gig, trap, or other device for taking fish, or any part thereof, except as otherwise provided in this section, shall, upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail, for a term not exceeding

six inches in length; nor any black bass or green bass less than eight inches in length; nor any sauger or sand pike, commonly known as jack-salmon less than eight inches in length; and in case any such fish is caught or taken, the person catching or taking it shall immediately return it to the water from which it was taken without unnecessary injury. And no person shall at any time catch, take or kill, or have in possession or under control, any fish for any purpose whatever that is less than six inches in length, except minnows for bait, gold fish, sunfish and fish commonly known as chubs. Measurements in each case to be made from the tip of the nose to the fork of the tail of the fish. Any person violating this section or any part thereof shall, upon conviction, be fined not exceeding ten dollars for each offense.

§ 53. Carrying Fish Out of the State.—It shall be unlawful for any railroad, express company or other common carrier, or for any of its officers, servants, agents or employes, or for any person whatsoever, to take, carry, or transport, or receive for the purpose of transporting, taking or carrying, beyond the limits or confines of this State, any pickerel, or pike perch, commonly known as wall-eyed pike, black bass, green bass, rock bass, or any other species of bass, or any sauger or sand pike, commonly known as jack-salmon; and it shall be unlawful for any person to deliver or offer to deliver or have in possession for the purpose of delivering, to any railroad company, express company, or other common carrier, or to any person, any of said above named species of fish, for the purpose of having same transported, taken or carried beyond the limits or confines of this State. Provided, however, that nothing contained in this section shall prevent any common carrier or person from carrying or transporting fish which have been taken from private ponds, nor prevent any person other than a common carrier from personally taking with him a total of not exceeding twenty-five of the said above named species of fish caught by

provisions of this section shall not apply to persons who use gaff-hooks, landing nets or similar devices for securing any fish that shall at the time be hooked on any legal hook and line: Provided, however, that this section shall not apply to private ponds, or to the Ohio River, or to so much of the Big Sandy River, Tennessee River and the Mississippi River, respectively, as forms any part of the boundary line between Kentucky and any other State; but it shall apply to the overflow and backwaters of said rivers. And provided, further, that in the Ohio River, and in so much of the Big Sandy River, Tennessee River and Mississippi River, respectively, as forms such boundary line between Kentucky and any other State, it shall be unlawful to use any net, seine, trap, or any other device to catch fish, within two hundred yards of the mouth of any stream emptying into said rivers from the Kentucky side. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days; and for a second or subsequent offense he shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for a term not exceeding 30 days.

§ 51. Minnows May Be Caught.—Nothing in this Act shall be construed to prevent any person from using minnow seines not larger than ten feet in length and four feet in depth, and the meshes of which are not larger than one-fourth of an inch, to catch minnows for bait.

§ 52. Sizes of Fish That May Be Taken.—No person shall intentionally catch, kill or take from any of the waters of this State, or have in his possession, no matter when or where caught, killed or taken, any pickerel, or pike perch, commonly called wall-eyed pike, less than ten inches in length; nor any rock bass, calico bass, or crappie, less than

lating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense; provided, however, that this section shall not apply to private ponds, or to the Ohio River, or to so much of the Big Sandy River, Tennessee River and the Mississippi River, respectively, as forms any part of the boundary line between Kentucky and any other State; but it shall apply to the overflow and the backwater of said rivers. Provided, further, that in the Ohio River, and in so much of the Big Sandy River, Tennessee River, and Mississippi River, respectively, as forms such boundary between Kentucky and any other State, it shall be unlawful to place, locate or have located any net, seine, trap, or any device to catch fish within two hundred yards of the mouth of any stream emptying into said rivers from the Kentucky side; and it shall be unlawful to place, locate or have located in the Ohio River and in so much of the Big Sandy River, Tennessee River and Mississippi River, respectively, as form the boundary between Kentucky and any other State, any net, seine, trap or device, the meshes or openings of which are smaller than one and one-half inches. Any person violating this section or any part thereof, shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail for a term not exceeding thirty days. And for a second or subsequent offense, he shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not to exceed sixty days.

§ 50. Seining, Netting and Trapping Fish.—No person shall catch, kill or take, or attempt to catch, kill or take, any fish in any of the waters of this State by means of gun, sledge, snare or electrical device, gig, spear, net, seine, drag, trap, or device of any kind, or in any manner except with or by means of hook and line. Provided, however, that the

maintain fish ladders on such dam, sufficient to allow the fish below such dam to pass over such dam into the waters above the same. Such fish ladders to be constructed in such manner and of such material as shall be directed by the Game and Fish Commission of Kentucky. Any person violating this section or any part thereof shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars for each offense. Provided, however, that this section shall not apply to locks and dams constructed across large rivers to facilitate navigation.

§ 47. Fish Ladder—Repairing.—When any such fish ladder shall get out of repair it shall be the duty of the owner or owners thereof to put the same in repair within thirty days after being notified by the Game and Fish Commission or any game warden so to do. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars for each offense; and every day such fish ladder shall remain out of repair after the expiration of said thirty days, shall constitute a separate offense.

§ 48. Catching Fish Near Fish Ladders.—No person shall construct any fish trap or other device for catching fish, or shall shoot, spear, gig, or in any manner take or kill any fish on or near any fish ladder constructed on any dam in the State of Kentucky, save and except by hook and line only. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars for each offense.

§ 49. Placing Net or Contrivance, Preventing Fish Passing. No person shall place or locate, or assist in placing or locating or have located, in any of the waters of this State, any wing-net, set-net, gill-net, trammel-net, or any kind of net, or any trap, or any other contrivance or device whatsoever, for the purpose of catching fish or that will hinder the passage of fish in such waters. Any person vio-

nor more than one year; and for a second or subsequent offense, he shall be fined five hundred dollars and imprisoned in the penitentiary for a term not less than one year nor more than three years.

§ 44. Polluting Waters.—No person shall place, discharge, or deposit, nor shall cause or suffer or allow to be placed, discharged or deposited, or shall pass or allow to pass, or place where it can pass in or into any of the waters of this State, any coal tar, refuse, or residuary product of coal, petroleum, asphalt, bitumen or other carbonaceous material or substance. Any person violating this section or any part thereof shall, upon conviction, be fined not less than two hundred and fifty dollars nor more than one thousand dollars for each offense, to which may be added imprisonment in the county jail for a term not exceeding six months; and each day's violation of any of the provisions of this section shall constitute a separate and distinct offense.

§ 45. Polluting Waters.—No person shall place, discharge or deposit or shall cause, allow, or suffer to be placed, discharged or deposited or shall pass or allow to pass, or place where it can pass in or into any of the waters of this State any lime, gas, oil, acid, tar, cocculus, indicus, slag, sawdust, shavings, slabs, edgings, mill or brewery or refinery or factory or distillery refuse, or any substance deleterious to fish. Any person violating this section shall upon conviction, be fined not less than fifty dollars nor more than one thousand dollars for each offense, to which may be added a term of imprisonment in the county jail not less than thirty days nor more than six months; and each day's violation of any of the provisions of this section shall constitute a separate and distinct offense.

§ 46. Dams—Fish Ladders.—The owner or owners of any dam constructed across any of the waters of this State, when such dam is of the height of four feet or over, shall, within six months after the passage of this act, construct and

lands, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

§ 41. Injuring Fish Pond—Fishing Private Pond Without Leave.—No person shall break or cut down, cut out or destroy any head or dam of any pool, pond, moat, stew, stagnet or pit, wherein fish are or shall be put or stored by the owner or person in possession thereof, nor shall wrongfully and without leave fish in any of the places above enumerated, or catch, kill or take any of the fish therefrom. Any person violating this section or any part thereof shall, upon conviction, be fined not exceeding fifty dollars, to which may be added imprisonment in the county jail for a term not exceeding three months, and pay the party aggrieved treble the damages sustained.

§ 42. Poisoning Fish.—No person shall place or cause to be placed in any stream, pool, pond, dam, back water, or any other waters of this State or assist in so doing, any liquid berries, powder, medicine, drug, medicated bait or any poisonous or injurious substance whereby fish, great or small, are to be sickened, intoxicated, stupefied or killed, or the waters rendered unfit for use or stench be produced. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than one hundred dollars, for each offense, to which may be added imprisonment in the county jail for a term not less than thirty days nor more than six months.

§ 43. Dynamite and Explosives Prohibited.—No person shall place, or cause to be placed, in any waters of this State, or assist in so doing, any dynamite, gun powder, or other explosive agent or substance or compound, except for mining or mechanical purposes by and with the written permission of the Game and Fish Commission of Kentucky. Any person violating this section or any part thereof shall, upon conviction, be fined not less than fifty dollars nor more than one thousand dollars, to which may be added imprisonment in the county jail for a term not less than thirty days

ing a license permitting him or her to do so, or any such person who lends or transfers his or her license to another, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not exceeding thirty days; provided, however, that nothing herein contained shall be construed as allowing any person holding such license to go upon the land of another without first obtaining the written permission of the owner or occupant of said land so to do.

§ 37. Must Have License in Possession and Exhibit It.—No person to whom a non-resident trappers' license is issued under the foregoing section, shall be entitled to trap or set any trap anywhere in this State without, at any time of such trapping or setting of said trap, he has his license in his possession and exhibits same to anyone demanding to examine it. Any person violating this section or any part thereof shall upon conviction be fined not less than twenty-five dollars for each offense.

§ 38. Trapping or Snaring on Lands of Another.—No person shall trap, snare, or set, place or construct, any snare, dead fall or trap, on the lands of another without the written consent of the owner or occupant of said land. Any person violating this section or any part thereof shall, upon conviction be fined not less than five dollars nor more than twenty dollars for each offense.

§ 39. Possession Prima Facie Evidence.—Having in possession any of the animals mentioned in this Act, which have been caught or killed in snares, dead falls or traps, shall be prima facie evidence of guilt under section 38 of this Act.

§ 40. Hunting or Fishing on Enclosed Lands of Another Prohibited.—Any person who shall enter upon the enclosed lands of another for the purpose of shooting or hunting, without the consent of the owner or occupant of said

than two dollars nor more than five dollars for each offense.

§ 36. Non-Resident Trapper's License.—It shall be unlawful for any non-resident of this State, alien, or person who has not resided in this State for one year, to trap any beaver, mink, otter, raccoon, opossum, skunk, or musk-rat, in this State, unless he shall have first procured a license so to do. It shall be the duty of the clerk of the county court of any county of this State to issue such license to any non-resident, alien, or person who has not been a resident of this State for one year, upon the application of such person. Such license shall contain a statement of the name, age, place of residence, post-office address, height, color, color of his or her eyes and hair, and distinctive marks of such licensee, and shall be signed by him or her in ink, and shall entitle the person named therein to trap mink, beaver, otter, raccoon, opossum, skunk, fox and musk-rat, anywhere in the State of Kentucky during the open season of that calendar year. The Game and Fish Commission of Kentucky shall furnish and deliver all necessary applications and licenses to said clerks ten days before the first day of January in each year and shall charge each clerk with the number of licenses issued to him. Before the issuance of any such license, the applicant shall pay to the said clerk the sum of ten dollars. The county clerk shall retain of the money received for each non-resident trappers' license issued by him the sum of fifteen cents, which shall cover all services rendered by him under this section, and he shall pay the balance to the State Treasurer on the first of each month, which amount shall be credited to the Game and Fish Protection Fund and the said county clerk shall report to the Game and Fish Commission on the first day of each month the number of non-resident trappers' licenses issued by him and the amount of money remitted to the State Treasurer. Any non-resident, alien or person who has not been a resident of this State for one year, who traps, or sets any trap, anywhere in this State without first obtain-

§ 33. Penalty.—Any person violating any provision of any sections of this Act wherein a penalty has not already been provided, shall upon conviction be fined not less than ten nor more than fifty ($50.00) dollars for each offense. Each bird, water fowl or animal or part of each bird, water fowl or animal, caught, killed, had in possession, bought, sold, bartered, traded, offered or exposed for sale, barter or trade, received for transportation, transported, taken or carried, or had in possession with intent to transport or carry, or offered for transportation, or caused to be transported or carried, contrary to the provisions of this Act, shall constitute a separate and distinct offense, and shall be punished accordingly; and two or more offenses may be joined in the same warrant or indictment therefor; and the person so offending, if convicted, shall be fined for each offense.

§ 34. Fur-Bearing Animals.—No person shall take, trap, hunt, shoot or kill any beaver, mink, raccoon, otter, opossum, skunk, fox or muskrat, in the State of Kentucky during the months of April, May, June, July, August, September and October of any year; provided, however, that when any of the animals mentioned in this section are found injuring or doing damage to, or destroying any property, the person whose property is being damaged, injured or destroyed may kill them when necessary for the protection of their property. Any person violating this section or any portion thereof shall, upon conviction, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

§ 35. Musk Rat House.—It shall be unlawful for any person to injure or destroy any musk-rat house at any time except where such musk-rat house is an obstruction to public or private ditches or water courses. Any person violating this section shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less

days for each offense; or shall be subject to both such fine and imprisonment at the discretion of the court. Provided, however, that nothing herein contained shall be construed to prevent the keeping and sale of song birds as domestic pets.

§ 29. Persons Exempt From This Act.—Sections 23, 26 and 29 of this Act shall not apply to any person holding a certificate giving him the right to take birds, their nests or eggs, for scientific purposes as provided for in section 31 of this Act.

§ 30. Certificate of Exemption—Application For.—Certificates may be granted by the Game and Fish Commission of Kentucky to any properly accredited person of the age of eighteen years or upward; permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. In order to obtain such a certificate the applicant for the same must present to the Game and Fish Commission written testimonials from two well-known scientific men, certifying to the good character and fitness of said applicant to be entrusted with such privilege, must pay to the Game and Fish Commission one dollar to defray the necessary expenses attending the granting of such certificate, and must file with said Game and Fish Commission, a properly executed bond, in the sum of Two Hundred Dollars, signed by two responsible citizens of the State as sureties, or by a responsible indemnity or surety company as surety. On proof that the holder of such certificate has killed any bird, or taken the nest or eggs of any bird, for other than scientific purposes, this bond shall be forfeited to the State, and the certificate become void, and such holder shall be further subject for each such offense to the penalties provided therefor in section 29 of this Act.

§ 32. Certificates Not Transferable—Time in Force.—The certificate above mentioned in section 31 of this Act shall be in force only during the calendar year in which issued and shall not be transferrable.

exposing the same for sale, barter or trade during any of the periods during which the killing or sale of such game is prohibited. And any officer whose duty be to enforce the provisions of this Act, who shall fail or refuse, upon sufficient information, to discharge the duties imposed upon him by this Act, shall be held guilty of misfeasance in office, and shall upon conviction thereof, be punished by a fine of not less than twenty dollars nor more than fifty dollars for each offense.

§ 29. Unlawful to Kill, Purchase or Have in Possession birds, or Plumage of, Except Game Birds.—No person shall, within this State at any time, catch, kill, or pursue with such intent, or have in his possession, living or dead, any thrush, meadow lark, finch, marten, swallow, wood-pecker, flicker, oriole, red bird, tanager, catbird, bluebird, or other song or other insectivorous bird, or wild bird, whatsoever, other than a game bird, or purchasee, offer, or expose for sale, transport or ship, within or without the State, any song, insectivorous or wild bird after it has been killed or caught, except as permitted by this Act. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale.

For the purpose of this Act, the following only shall be considered game birds:

The Anatidae, commonly known as swans, geese, brant, and river and sea ducks; the Dallidae, commonly known as rails, coots, mud hens and gallinules; the Limicolae, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sand pipers, tattlers and curlews; the Gallinae, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails; and the species of Columbinae, commonly as mourning doves; any person violating this section or any part thereof shall upon conviction be fined five dollars for each offense; or shall be imprisoned in the county jail not less than five days, nor more than thirty

caused to be taken, transported or carried, or had in possession with the intent to take, transport or carry fifty dollars for each pheasant of any kind or species, or wild turkey, or for any part of any pheasant or wild turkey, so transported, taken, carried, or offered or received for the purpose of being taken, transported or carried, had in possession with the intent to take, transport or carry, or cause to be taken, transported or carried; and ten dollars for each quail, dove, wild duck, brant, wild goose, or other wild water fowl, grouse, prairie chicken, woodcock or partridge, or any part of any quail, dove, wild duck, brant, wild goose, or other wild water fowl, grouse, prairie chicken, woodcock, or partridge, transported, taken or carried, offered, or received for the purpose of being transported, taken or carried, had in possession with the intent to take, transport or carry or cause to be taken, transported or carried.

§ 26. Magistrates and Judges—Duty and Powers of.—Any county judge, justice of the peace, police judge or other magistrate, upon receiving sufficient proof by affidavit that any of the provisions of this Act have been violated by any person being temporarily within his jurisdiction, but not residing therein permanently or by any person whose name or residence is unknown, is hereby authorized and required to issue his warrant for the arrest of such person, and cause him to be held to bail to answer the charges against him.

§ 27. Mayor and Market Masters—Penalty of Officer Failing To Do Duty.—It is hereby made the duty of the several mayors of the several cities and towns within this Commonwealth to require their respective police, town marshals, or constabulary force, and it is hereby made their duty, as well as the duty of all market masters or clerks of markets of any cities or towns, to diligently search out and arrest or have arrested, as for a misdemeanor, all persons violating any of the provisions of this Act by having any game mentioned herein unlawfully in their possession, or offering or

Cooper's hawk, bluejay, crow and crow blackbird are not included among the birds protected by this Act.

§ 25. Transportation or Possession Unlawful—Except as to Hunters.—It shall be unlawful for any firm, association, corporation, express company, transportation company or other common carrier or any of its officers, servants or agents, or for any other person, to receive for transportation or transport, or to carry or to cause to be transported or carried, or to have in possession with the intention to transport or carry, or to deliver or offer to deliver for or secure the transportation or carrying of, within this State or beyond the confines thereof or out of this State, any wild turkey, pheasant, grouse, quail, partridge, dove, prairie chicken, woodcock, deer, elk, buffalo, wild duck, brant, wild goose, or other wild water fowl or any part of any wild turkey, pheasant, grouse, partridge, quail, dove, prairie chicken, woodcock, deer, elk, buffalo, wild duck, brant, wild goose, or other wild water fowl. Provided, however, that it shall not be unlawful for any person, firm, association, corporation, transportation company, or other common carrier, to transport a hunter with his game lawfully killed and possessed by him; and provided further, that it shall not be unlawful for a hunter to carry with him his game lawfully killed and possessed by him; and provided further, that it shall not be unlawful for any person, firm, association, corporation, transportation company, or other common carrier, to transport, carry, or ship any of the birds or animals provided for in section 2 of this Act. Any person, firm, association, corporation, express company, transportation company, or any other common carrier, or any of its servants, agents, employees or officers, violating any of the provisions of this section, shall upon conviction, be fined one hundred dollars for each deer, elk or buffalo, or for any part of any deer, elk or buffalo, transported, taken, carrier, or offered or received for the purpose of being transported, taken or carried, or

may have in possession and sell any of said last-named animals, though caught in traps.

§ 21. Traps, Snares, Lights—Possession Prohibited.—No person shall at any time set, lay, prepare, or have in possession any trap, box, snare, artificial light, net, bird lime, swivel-gun, set-gun or any contrivance or device whatever for the purpose of or which may be used for catching, taking, or killing, attracting or deceiving any of the animals, birds or water fowls mentioned in and sought to be protected by this Act, or by any law of this State relating to fish or game; and all such traps, boxes, snares, artificial lights, bird lime, swivel-guns, set-guns, materials, devices, and contrivances, are hereby declared to be and they are a public nuisance. And the Game and Fish Commission, Executive Agent, all game wardens, all other persons appointed by said Commission and all peace officers and their deputies, shall without warrant or process, take, seize, abate and destroy any and all of the same wherever found, whether being used or not. And no liability therefor shall incurred by any person. Provided, however, that decoys and stationary blinds may be possessed and used in hunting wild geese, two years after he ceased to serve as Commissioner.
and used in hunting and catching rabbits; and that traps may be possessed and used in catching and killing mink, beaver, otter, raccoon, opossum, skunk and musk rat.

§ 22. Hunting With Ferrets Prohibited.—No person shall at any time hunt, attempt to hunt, catch, kill, or in any manner take, any rabbit or other species of game anywhere in this State, with or by means of any ferret.

§ 23. Nest or Eggs of Wild Birds.—No person shall take, rob or destroy the nest or eggs of any wild bird whatsoever or have such nest or eggs in his or her possession, except as permitted by this Act.

§ 24. Birds Not Protected.—The English or European house sparrow, great horned owl, sharp shinned hawk,

session, alive or dead, any pheasant, prairie-chicken, or Hungarian partridge, or any part of any pheasant, prairie-chicken, or Hungarian partridge, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, or place, except as provided in section 2 of this Act.

§ 20. Trapping, Snaring Prohibited.—No person shall at any time catch, kill or take, by means of any trap, box, snare, artificial light, net, bird lime, swivel gun, set gun, or any contrivance or device whatever, or in any other manner than by shooting them with a gun held to the shouder of the person discharging the same, any bird, animal, or water fowl, mentioned in and protected by this Act, or by any law of this State relating to fish or game, or buy, sell, barter, trade, or offer or expose for sale, barter or trade, or have in possession dead or alive, after having been so caught, killed or taken, any of the birds, animals or water fowls, or any part of any bird, animal or water fowl, mentioned in and sought to be protected by this Act, no matter when or where caught or killed, whether caught or killed in this State, or in any other State, territory, country or place. Provided, however, that rabbits may be caught or killed with dogs or in snares; and beaver, mink, otter, raccoon, opossum, skunk, and musk rat, may be caught or killed with traps, and decoys and stationary blinds may be used in hunting wild geese, brant, and ducks, at any time during which it is lawful to catch or kill them, respectively in this State; and during the time when it is lawful to catch or kill rabbits, any person may have in possession and sell rabbits killed or caught with dogs or in snares; and during the time when it is lawful to catch or kill wild geese, brant, and ducks, any person may have in possession wild geese, brant and ducks caught or killed with the use of decoys and stationary blinds; and during the time when it is lawful to catch or kill beaver, mink, otter, raccoon, opossum, skunk and musk rat, any person

bits, or parts thereof, cannot be sold, bartered or traded, or offered or exposed for sale, barter or trade between the dates above mentioned.

§ 16. Doves.—No person shall, between the second day of January and the thirty-first day of August, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any dove, or have in possession, alive or dead, any dove or any part of any dove, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall, upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 17. Doves—Sale Prohibited.—No person shall at any time in this State, buy, sell, barter, trade, or offer or expose for sale, barter or trade, or have in possession for the purpose of selling, bartering or trading any dove or any part of any dove, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place.

§ 18. Doves—Bag Limit.—No person shall shoot, kill or have in possession, more than fifteen doves in any one day between the first day of September and the second day of January, of the succeeding year, both days inclusive, of any year; provided, however that any person having hunted two days in succession may have in possession a total not exceeding thirty doves killed by himself during such hunt, and any person having hunted more than two days in succession, may have in possession a total of not to exceed fifteen doves per day killed by himself during such hunt.

§ 19. Pheasants, Prairie-Chickens, Hungarian Partridges.—No person shall at any time in this State, catch, kill, injure, or pursue with such intent, any pheasant, prairie-chicken, or Hungarian partridge, or buy, sell, barter or trade, or offer or expose for sale, barter or trade, or have in pos-

person shall in this State at any time buy, sell, barter, trade or offer or expose for sale, barter or trade, or have in possession for the purpose of selling, bartering or trading, any quail, partridge or grouse or any part of any quail, partridge or grouse, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place, except as provided in section 2 of this Act.

§ 14. Quail, Partridge, Grouse—Bag Limit.—No person shall shoot, kill, or have in possession more than fifteen quail, or fifteen partridges, or fifteen grouse, or more than fifteen quail, partridges and grouse combined, in any one day between the fifteenth day of November of any year and the first day of January of the succeeding year, both days inclusive. Provided, however, that any person having hunted two days in succession may have in possession a total of not to exceed thirty partridges, quail and grouse, killed by himself during such hunt, and any person having hunted more than two days in succession may have in possession a total of not to exceed fifteen quail, partridges and grouse per day, killed by himself for each day during such hunt. Any person violating this section or any part thereof shall, upon conviction be fined ten dollars for each bird so shot, killed or possessed, in excess of the number allowed him by this section.

§ 15. Rabbits.—No person shall, between the 1st day of February and the 14th day of November, both days inclusive, in any year, injure, catch, kill, or pursue with such intent, any rabbit, or buy, sell, barter or trade, or offer or expose for sale, barter or trade, or have in possession, any rabbit, dead or alive, or any part of any rabbit, no matter where caught or killed, whether caught or killed in this State or in any other State, territory, country or place; Provided, however, anyone may catch rabbits with dogs, or in traps, upon their own property for their own use, but said rab-

conviction, be fined not less than twenty-five dollars nor more than fifty dollars for each offense.

§ 10. Wild Turkey.—No person shall, at any time, in the State of Kentucky, within four years from and after the passage of this Act, injure, catch, kill, or pursue with such intent, any wild turkey, or buy, sell, barter, trade or offer or expose for sale, barter or trade, or have in possession, dead or alive, any wild turkey, or any part of any wild turkey, no matter when or where caught or killed, whether caught or killed in this State or in another State, territory, country or place, except as provided in Section 2 of this Act. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 11. Woodcock.—No person shall between the first day of January and the thirty-first day of October, both days inclusive, in any year, catch, kill, injure, or pursue with such intent, any woodcock, or buy, sell, barter, trade or offer or expose for sale, barter, or trade, or have in possession, dead or alive, any woodcock, or any part of any woodcock, no matter when or where caught, killed or taken, whether caught or killed in this State, or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 12. Quail, Partridge, Grouse.—No person shall between the second day of January and the fourteenth day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any quail, partridge or grouse, or have in possession any quail, partridge or grouse or any part of any quail, partridge or grouse, dead or alive, no matter when or where caught or killed, whether caught or killed in this State, or in any other State, territory, country or place, except as provided in section 2 of this act.

§ 13. Quail, Partridge, Grouse—Sale Prohibited.—No

upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 7. Wild Geese, Ducks, Brant, Rails, Cots, and Other Water Fowl.—No person shall, between the sixteenth day of January and the thirtieth day of September, both days inclusive, of any year, injure, catch, kill, or pursue with such intent, any wild goose, wood-duck, teal or other wild duck, brant, rail, coot, or other wild water fowl, or buy, sell, barter, or trade, or expose or offer for sale, barter, or trade, or have in possession, dead or alive, any wild goose, wood-duck, teal or other wild duck, brant, rail, coot or other wild water fowl, or any part of any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place, except as provided in Section 2 of this Act.

§ 7a. Shore Birds.—No person shall, between the 16th day of December and the 1st day of September, both days inclusive, of any year, injure, catch, kill or pursue with such intent, any black-breasted and golden plover, greater and lesser yellowlegs, under penalty provided for in Section 25 of this Act.

§ 8. Hunting After Sunset.—No person shall, at any time between sunset of any day and sunrise of the succeeding day, shoot, kill, or pursue with the purpose of killing or shooting, any wild goose, wood-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 9. Hunting With Boats.—No person shall, at any time, pursue or hunt any wild goose, wod-duck, teal, or other wild duck, brant, rail, coot, or other wild water fowl, with or by means of a naphtha, electric or steam launch or boat, or any other kind of boat, except a boat propelled by hand. Any person violating this section or any part thereof shall, upon

jail for a period not exceeding thirty days. And any dog or dogs used, attempted to be used for or found running, chasing, tracking, trailing or injuring any deer, elk or buffalo, is hereby declared to be a public nuisance, and it shall be lawful for any person to kill any such dog or dogs.

§ 4. Breaking and Entering Park or Enclosure for Game.—If any person shall wrongfully break or enter any park, enclosed ground or any game preserve, stocked with or used for keeping any of the birds, animals or water fowls protected by this Act, by the Game and Fish Commission of Kentucky, or by any person with the permission of the said Commission, to hunt, drive, or chase, take out, maim, injure, or kill any bird, animal or water fowl therein, he shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days, and shall pay to the Commission or person so aggrieved three times the amount of the damage sustained.

§ 5. Killing or Wounding Tame Deer.—Any person who shall kill, or wound a tame or pet deer, not his own, having a bell or collar on, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days, and shall pay the owner three times the value of such deer.

§ 6. Squirrel.—No person shall, between the first day of February and the fourteenth day of June, both days inclusive, in any year, injure, catch, kill or pursue with such intent, any squirrel, or buy, sell, barter, trade or offer or expose for sale, barter, or trade, or have in possession, dead or alive, any squirrel or any part of any squirrel, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall,

them, have in possession in captivity, for the purpose of propagating or domesticating live deer, elk, buffalo, wild water fowl and other game birds, and may sell same, either dead or alive, under permits issued by said Game and Fish Commission.

The Game and Fish Commission of Kentucky may issue a breeders' license to any citizen of Kentucky who desires to raise game animals, or game birds, in captivity, upon the written application of such person and his compliance with such rules and regulations as may be provided by said Game and Fish Commission. Such license, or permit, shall expire on December 31st of each year.

The Game and Fish Commission is hereby authorized to cancel such permit, when satisfactory proof has been furnished them that the person holding such permit has violated any of the regulations pertaining to the raising or disposing of such birds, or animals so raised in captivity. And provided, further, that nothing herein shall prevent or be construed to prevent a resident of this State from bringing with him into this State and having in his possession for not more than thirty days after it has been brought herein for consumption by himself and family, any deer, elk or buffalo legally killed and possessed by him outside of the State of Kentucky. Any person violating this Section or any part thereof shall, upon conviction thereof, be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for any period not exceeding thirty days.

§ 3. Dogs Hunting or Chasing Deer.—Every person who owning, controlling, or having in his possession, any dog or dogs and uses or knowingly suffers, permits or allows such dog or dogs to run, track, trail, or injure any deer, elk or buffalo, at any time, shall, upon conviction be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county

1944a, 1944b, 1944c, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1954a and 1954b, of the Kentucky Statutes, Carroll's Edition 1909, and an act approved March 22, 1910, to amend section 1896 of the Kentucky Statutes, and an act approved March 16, 1910, amending section 1944a of the Kentucky Statutes, and all other laws and parts of laws in conflict with the provisions of this act, or of any of them, are hereby repealed.

The Committee on Fish and Game offered the following amendment to said bill, by way of substitute therefor: viz.:

Said substitute reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Deer, Elk and Buffalo.—No person shall at any time in the State of Kentucky, hunt, pursue, chase, catch, kill, injure, or molest any deer, elk or buffalo. Any person violating this Section or any part thereof shall, upon conviction, be fined not less than fifty dollars nor more than two hundred dollars for each offense, to which may be added imprisonment in the county jail for any period not exceeding thirty days.

§ 2. No person shall at any time in the State of Kentucky have in possession, buy, sell, barter, trade, expose or offer for sale, barter or trade, any deer, elk or buffalo, or any part of any deer, elk or buffalo, directly or indirectly, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Provided, however, that game animals and game birds, not native to the United States, may be imported and sold in this State, under such regulations as may be provided by the Game and Fish Commission of Kentucky; and provided further, that any person may, under permit issued under such rules and regulations as may be provided by

Abridged.—Nothing contained in this act shall in any way abridge or repeal the powers or privileges conferred on the Game and Fish Commission by the act creating said Commission, approved March 12, 1912; but all powers and privileges conferred on said Commission by said act are hereby re-affirmed and said act is hereby re-affirmed.

§ 66. Terms Defined.—The words "sell" and "sale" as used in this act shall be construed as meaning any sale or offer to sell, barter or trade or having in possession with intent to sell, barter or trade, or use or dispose of the same contrary to law. The word "person" shall be construed to include persons, partnerships, associations, and corporations. The word "possession" shall be construed to include both actual and constructive possession, as well as control of the thing referred to. The term "waters of this State" shall be construed to include all the boundary waters, of this State, overflow, backwaters, and every other kind of waters except as otherwise expressly stated in this act. And the provisions of this act shall be deemed to extend and be in force and effect over, upon and in all waters thereof.

§ 67. Each Violation a Separate Offense.—Each fish killed, caught or taken, or had in possession, bought, sold, bartered, traded, offered or exposed for sale, barter or trade, received or offered or delivered for transportation, transported, taken or carried, contrary to any of the provisions of this act, and each net, trap, contrivance, device, for catching or killing fish, each spear, or gig, had in possession, used, placed, or located, contrary to any of the provisions of this act, shall constitute a distinct and separate offense, and shall be punished accordingly; any two or more offenses may be joined in the same warrant or indictment therefor, and the person so offending shall be fined for each offense.

§ 68. Laws Repealed.—That sections 1250, 1251, 1252, 1253, 1392a, 1392b, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1939, 1940, 1941, 1942, 1943, 1944,

person who lends or transfers his or her license to another, shall upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not exceeding thirty days.

§ 61. Must Have License in Possession and Exhibit It.—No person to whom a license is issued under the foregoing section shall be entitled to fish in any of the waters of this State unless at the time of such fishing he has his license in possession and exhibit it to anyone demanding to examine it. Any person violating this section or any part thereof shall, upon conviction, be fined not less than ten dollars nor more than twenty-five dollars for each offense.

§ 62. Failure to Pay Fine.—Any person having been found guilty of violating any section or any part of any section of this act and fined therefor, shall on failure to pay such fine be confined in the county jail or workhouse, or placed at labor on any of the public works of the county in which he is convicted and fined, for a length of time not exceeding one day for every two dollars of said fine.

§ 63. Circuit Judges to Charge Grand Juries.—It shall be the duty of the judge of all circuit courts of the respective counties of this State to give special charge of this act and of all fish and game laws to each grand jury of said court.

§ 64. Fee Taxed as Costs.—In all cases of conviction or on pleas of guilty of violating any of the provisions of this act, or of any law in relation to or for the protection of fish, birds or animals, there shall be taxed against each defendant, in favor of the Game and Fish Commission, a fee of five dollars, as part of the costs; said fee shall be promptly paid by the officers collecting the same to the State Treasurer and shall be credited by him to the Game and Fish Protection Fund.

§ 65. Game and Fish Commission's Powers Not

color, color of his or her eyes and hair, and distinctive marks of such licensee, and shall be signed by him in ink, and shall entitle the person named therein to fish, in any of the waters of this State during the calendar year in which issued. The Game and Fish Commission of Kentucky shall furnish and deliver all necessary applications and licenses to said clerk ten days before the first day of January in each year and shall charge each clerk with the number of licenses issued to him. Before the issuance of any such license, the applicant shall pay to such clerk the sum of one dollar. The county clerk shall retain of the money received for each non-resident fishing license issued to him, the sum of fifteen cents, which shall cover all services rendered by him under this section and he shall pay the balance to the State Treasurer on the first of each month, which amount shall be credited to the Game and Fish Protection Fund; and the said county clerk shall report to the Game and Fish Commission on the first day of each month the number of non-resident fishing licenses issued by him and the amount of money remitted to the State Treasurer. Provided, however, that the provisions of this section shall not apply to the wife of a man who has procured a license as provided in this section, and provided further, that a license to a non-resident, alien or person who has not resided in this State for one year, to hunt, shall also entitle such person to fish without procuring the license herein provided for, upon his showing the same to any of the Commissioners of Game and Fish, Executive Agent, any game warden, peace officer or person demanding to examine it. Provided further, that nothing herein contained shall be construed as repealing the present law requiring every person to obtain the permission of the owner or occupant of any land to fish on his premises. Any non-resident, alien, or person who has not been a resident of this State for one year, who fishes in any of the waters of this State without first obtaining a license permitting him or her to do so, or any such

the Mississippi River, as form any part of the boundary line between Kentucky and any other State, shall keep the same within one mile of such river; and shall not permit the same to be or remain in or on, or on the shore or bank of any other water of this State. And any net, seine, trap, or other device for taking fish, located or found in, on, or on the shores or banks of any of the waters of this State, excepting the Ohio River, and so much of the Mississippi River, Tennessee River and Big Sandy River, respectively, as form the boundary between Kentucky and any other State, is hereby declared to be a public nuisance, and any game warden or executive agent, or person appointed by the Commission, or peace officer, shall, without warrant or process, take, seize, abate and destroy any and all or any of the same so located or found, although it be within one mile of the Ohio River, or within one mile of that part of the Big Sandy, Tennessee or Mississippi Rivers, respectively, as form the boundary line between Kentucky and any other State, and no liability therefor shall be incurred by any person. And provided further, that this section shall not apply to owners of private ponds who keep a seine for use in such ponds only; and provided further, that this section shall not apply to minnow traps, or minnow seines, not more than ten feet long and four feet in depth, the meshes of which are not larger than one-fourth of an inch.

§ 60. Non-Resident Fishing License.—It shall be unlawful for any non-resident of this State, alien, or any person who has not been a resident of this State for one year, to fish in any of the waters of this State, without first procuring a license so to do. It shall be the duty of the clerk of the county court of any county of this State to issue such license to any non-resident, alien, or person who has not been a resident of this State for one year, upon the application of such person. Such license shall contain a statement of the name, age, place or residence, postoffice address, height,

ions of this act shall prevent the owner of a private pond from taking fish from his said pond in any number or in any manner he may see fit. Any person violating this section or any part thereof shall, upon conviction, be fined not less than five dollars nor more than twenty dollars for each fish so taken, caught, or killed or possessed in excess of the number as limited in this section.

§ 59. Seines, Nets, Traps, Spears, Etc., in Possession —Destruction of.—Whoever has in his possession any seine, wing-net, gill-net, set-net, dip-net, trammel-net, or any kind of net, spear, gig, trap, or other device for taking fish, or any part thereof except as otherwise provided in this section, shall, upon conviction, be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail, for a term not exceeding thirty days; and every day's possession of such articles, or any of them, shall constitute a separate and distinct offense under this section; and all seines, nets, traps, spears, gigs, and other devices for taking fish, are hereby declared to be a public nuisance and the Executive Agent, any game warden, or other person appointed by the Commission, or peace officer or his deputy, shall without warrant or process take, seize, abate and destroy any and all of the same, wherever found, whether in use or not. And no liability therefor shall be incurred by any person. Provided, however, that this section shall not apply to persons who have in their possession nets, seines, traps, or other fishing tackle for the purpose of taking fish, from the Ohio River, or from so much of the Big Sandy River, Tennessee River, and the Mississippi River, respectively, as form any part of the boundary line between Kentucky and any other State; But it shall apply to the overflow and the backwater of said rivers. And provided further, that persons having such nets, seines, traps and other devices for use in the Ohio River, or in so much of the Big Sandy River, Tennessee River, or

porting, taking or carrying, or delivered, or offered for delivery, or had in possession for the purpose of having transported, taken or carried, beyond the limits or confines of this State. And in addition to the above mentioned fine, any common carrier or person who fails to send said copy of said affidavit and said written statement herein mentioned to the said Game and Fish Commission as herein required, shall upon conviction be fined not less than fifty dollars nor more than one hundred dollars for each offense.

§ 57. Sale of Fish Prohibited.—No person shall at any time in this State buy, sell, barter, or trade, or offer or expose for sale, barter or trade, or have in possession for the purpose of sale, barter or trade, any pickerel, pike perch, commonly known as walleyed pike, black bass, green bass, rock bass, or any part of any fish of the species of fish herein mentioned no matter when or where caught, taken or killed, whether caught, taken or killed in this State, or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined five dollars for each fish or part of fish bought, sold, bartered, traded, or offered or exposed for sale, barter or trade, or had in possession for the purpose of sale, barter or trade.

§ 58. Number of Fish That May Be Taken.—No person shall in any one day catch, kill or take, or have in possession more than twenty crappies, or more than twenty calico bass, or more than ten black bass or more than ten green bass, or more than a total of ten black and green bass, or more than five pickerel, or ten walleyed pike, or fifteen rock bass, or shall catch, kill or take or have in his possession a total exceeding thirty-five crappies, calico bass, rock bass, green bass, black bass, wall-eyed pike and pickerel; but where two or more persons are fishing or angling from the same boat, the aggregate number of black and green bass caught, killed or taken or possessed by the occupants of said boat shall not exceed twenty. Provided, however, that none of the provis-

ployees, or for any person whatsoever, to take, carry, or transport, or receive for the purpose of transporting, taking or carrying, beyond the limits or confines of this State, any pickerel, or pike perch, commonly known as walleyed pike, black bass, green bass, rock bass, or any other species of bass, or any sauger or sand pike, commonly known as jack-salmon; and it shall be unlawful for any person to deliver or offer to deliver or have in possession for the purpose of delivering, to any railroad company, express company, or other common carrier, or to any person, any of said above named species of fish, for the purpose of having same transported, taken or carried beyond the limits or confines of this State. Provided, however, that nothing contained in this section shall prevent any common carrier or person from carrying or transporting fish which have been taken from private ponds, nor prevent any person other than a common carrier from personally taking with him a total of not exceeding twenty-five of the said above named species of fish caught by himself, in a lawful manner, beyond the limits of this State; which said fish shall be carried by such person openly for inspection by any peace officer or any warden or agent of the Game and Fish Commission of Kentucky. And provided further, that before any common carrier or any other person shall transport or carry any fish from private ponds, the owner of such pond shall present and deliver to said common carrier or other person an affidavit stating that said fish was taken from his private pond; said common carrier or other person to whom the affidavit shall be delivered shall immediately send to the Game and Fish Commission a copy of said affidavit together with a written statement showing the name and address of the consignor, the name and address of the consignee, the date of shipment and the weight and description of the package. Any person violating this section or any part thereof shall upon conviction be fined ten dollars for each fish transported, taken or carried, or received for the purpose of trans-

vice, or with any snare or noose, or similar device, or have in his possession or under his control any fish so caught, taken or killed, no matter whether caught, taken or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail for a term not exceeding thirty days. Provided, however, that the provisions of this section shall not apply to persons who use gaff hooks or similar devices for securing any fish that shall at the time be hooked on any legal hook and line.

§ 55. Sizes of Fish That May Be Taken.—No person shall intentionally catch, kill or take from any of the waters of this State, or have in his possession, no matter when or where caught, killed or taken, any pickerel, or pike perch commonly called walleyed pike, less than ten inches in length; nor any rock bass, calico bass, or crappie, less than six inches in length; nor any black bass or green bass less than eight inches in length; nor any sauger or sand pike, commonly known as jack-salmon less than eight inches in length; and in case any such fish is caught or taken, the person catching or taking it shall immediately return it to the water from which it was taken without unnecessary injury. And no person shall at any time catch, take or kill, or have in possession or under control, any fish for any purpose whatever that is less than six inches in length, except minnows for bait, gold fish, sunfish and fish commonly known as chubs. Measurements in each case to be made from the tip of the nose to the fork of the tail of the fish. Any person violating this section or any part thereof shall upon conviction be fined not exceeding ten dollars for each offense.

§ 56. Carrying Fish Out of the State.—It shall be unlawful for any railroad, express company or other common carrier, or for any of its officers, servants, agents or em-

Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail for a period not exceeding thirty days; and for a second or subsequent offense he shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for a term not exceeding fifty days.

§ 51. Minnows May Be Caught.—Nothing in this act shall be construed to prevent any person from using minnow seines not larger than ten feet in length and four feet in depth, and the meshes of which are not larger than one-fourth of an inch, to catch minnows for bait.

§ 52. Shooting Fish.—No person shall at any time shoot or shoot at any fish of any kind in any waters of this State or have in his possession or under his control any fish so caught, taken or killed, no matter whether caught or killed in this State, or in any other State, territory, country or place. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 53. Electrocuting Fish.—No person shall catch, kill or take, stupefy, stun, or attempt to catch, kill or take, stupefy or stun any fish in any of the waters of this State by discharging or passing any electrical current into or through the water, or have in his possession or under his control, any fish so taken, caught or killed, whether caught or killed in this State or in any other State, territory, country or place. Any person violating this section or any part thereof, shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense.

§ 54. Catching Fish with Hands, Snares, Etc., Prohibited.—No person shall catch, kill or take, or attempt to catch, kill or take, any fish in any of the waters of this State, with his hands, or with any gaff hooks, grappling hook, or similar de-

imprisonment in the county jail for a term not exceeding thirty days. And for a second or subsequent offense, he shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not to exceed sixty days.

§ 50. Seining, Netting and Trapping Fish.—No person shall catch, kill or take, or attempt to catch, kill or take, any fish in any of the waters of this State by means of any gig, spear, net, seine, drag, trap, or device of any kind, or in any manner except with or by means of hook and line. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added imprisonment in the county jail for any period not exceeding thirty days; and for a second or subsequent offense, he shall be fined not less than fifty dollars nor more than one hundred dollars, to which may be added imprisonment in the county jail for any period not to exceed thirty days; provided, however, that this section shall not apply to private ponds, or to the Ohio River, or to so much of the Big Sandy River, Tennessee River and the Mississippi River, respectivley, as forms any part of the boundary line between Kentucky and any other State; but it shall apply to the overflow and backwaters of said rivers. And provided, further, that in the Ohio River, and in so much of the Big Sandy River, Tennessee River and Mississippi River, respectivley, as forms such boundary line between Kentucky and any other State, it shall be unlawful to use any net, seine, trap, or any other device to catch fish, within one hundred yards of the mouth of any stream emptying into said rivers from the Kentucky side; and it shall be unlawful to use in the Ohio River, and in so much of the Big Sandy River, Tennessee River, and Mississippi River, respectively, as forms such boundary line between Kentucky and any other State, any net, seine, trap, or device to catch fish, the meshes or openings of which are smaller than one and one-half inches.

any fish on or near any fish ladder constructed on any dam in the State of Kentucky, save and except by hook and line only. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than one hundred dollars for each offense.

§ 49. Placing Net or Contrivance Preventing Fish Passing.—No person shall place or locate, or assist in placing or locating or have located, in any of the waters of this State, any wing-net, set-net, gill-net, trammel-net, or any kind of net, or any trap, or any other contrivance or device whatsoever, for the purpose of catching fish or that will hinder the passage of fish in such waters. Any person violating this section or any part thereof shall upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense; provided, however, that this section shall not apply to private ponds, or to the Ohio River, or to so much of the Big Sandy River, Tennessee River, and the Mississippi River, respectively, as forms any part of the boundary line between Kentucky and any other State; but it shall apply to the overflow and the backwater of said rivers. Provided, further, that in the Ohio River, and in so much of the Big Sandy River, Tennessee River, and Mississippi River, respectively, as forms such boundary between Kentucky and any other State, it shall be unlawful to place, locate or have located any net, seine, trap, or any device to catch fish, within one hundred yards of the mouth of any stream emptying into said rivers from the Kentucky side; and it shall be unlawful to place, locate or have located in the Ohio River and in so much of the Big Sandy River, Tennessee River and Mississippi River, respectively, as form the boundary between Kentucky and any other State, any net, seine, trap, or device, the meshes or openings of which are smaller than one and one-half inches. Any person violating this section or any part thereof, shall, upon conviction be fined not less than ten dollars nor more than twenty dollars for each offense, to which may be added

Amend section 38 by striking from line 2, the word "snare" after the word "trap" and the word "snare" after the word "any" and by inserting in the fourth line after the word "land" the following words: "No person shall at any time or place, set any snare," so that Section 38 as amended, will read as follows:

"Section 38. Trapping or Snaring on the Lands of Another.—No person shall trap or set, place or construct, any dead fall or trap, on the lands of another without the written consent of the owner or occupant of the land, and no person shall at any time or place set any snare. Any person violating this section or any part thereof shall, upon conviction, be fined not less than five nor more than twenty dollars for each offense.

Said amendment was agreed to.

Mr. W. M. Webb offered the following amendment to said substitute:

Amend by striking out Sections 44 and 45.

Said amendment was disagreed to.

Mr. Hutchcraft offered the following amendment to said substitute:

Amend Section 20 by inserting "or by pursuing on horseback and killing by hand or with sticks held in the hand, or thrown by hand" in line 14 before "and beaver" and again in line 20 before "and during the time."

Said amendment was disagreed to.

Mr. Hutchcraft offered the following amendment to said substitute:

Amend Section 57 by striking out in lines 1 and 2 "or on pleas of guilty" and by inserting after "as part of the costs" in line 5 "except upon a plea of guilty, when such fee shall not be taxed."

Said amendment was disagreed to.

Mr. Jones offered the following amendment to said substitute:

Amend by striking out Section 15.

Said amendment was agreed to.

Mr. S. H. Rogers offered the following amendment to said substitute:

Amend substitute for H. B. 175, Section 12, line 2, by striking out the word "fourteenth" and inserting in lieu thereof, the word "second" and by striking out the word "November" and inserting therefor the word "December."

Said amendment was agreed to.

Mr. Greene offered the following amendment to said substitute:

Amend by adding "any person found in possession of dynamited fish is prima facie evidence of the guilt of such person, under a prosecution charging such person with a violation of this section."

Said amendment was agreed to.

Mr. Meyers offered the following amendment to said substitute:

Amend by striking out Sections 7 and 9.

Said amendment was agreed to.

Mr. Shawler offered the following amendment to said substitute:

Amend Section 34 of Substitute for House Bill 175 by adding after the word "year" in the fourth line of said section, the following words "except that no person shall trap, shoot or kill a red fox at any time" and by adding after the word "them" in line 8 of said section the following words "on his own premises," so that said section when so amended shall read as follows:

§ 34. Fur-Bearing Animals.—No person shall take, trap, hunt, shoot or kill any beaver, mink, raccoon. otter, opossum, skunk, fox or musk-rat, in the State of Kentucky during the months of April, May, June, July, August, September and October of any year, except that no person shall trap, shoot or kill a red fox at any time: provided, however, that when any of the animals mentioned in this section are found injuring or doing damage to, or destroying any property, the person whose property is being damaged, injured or destroyed, may kill them, on his own premises, when necessary, for the protection of their property. Any person violating this section or any portion thereof shall, upon conviction, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars, nor more than twenty-five dollars for each offense.

Said amendment was agreed to.

Mr. W. M. Webb offered the following amendment to said substitute:

Amend Section 46 by striking out lines ten, eleven and twelve, beginning with the word "provided" in line ten.

Said amendment was disagreed to.

Mr. Luker offered the following amendment to said substitute:

Amend said substitute by adding to Section 63: "No person shall hunt with any gun other than a rifle, pistol or gatling gun."

Said amendment was disagreed to.

Mr. Hillman offered the following amendment to said substitute:

Amend by striking out all of Section 35. .

Said amendment was agreed to.

Mr. Kelly offered the following amendment to said substitute:

Amend by striking out all of Section 52 in the substitute.

Said amendment was agreed to.

Mr. Mount offered the following amendment to said substitute:

Amend substitute by inserting after Section 62 "That it shall be lawful for any person or persons who may own a creek or river and pays taxes thereon, may be allowed to seine or trap fish except in spawning or nesting season.

Said amendment was disagreed to.

Mr. Barrall offered the following amendment to said substitute:

Amend Substitute to H. B. 175, Section 12, line 2, by inserting after "January," the word "1915," and after the word "November," the word "1917," and line 3, by striking out the words "in any year."

Said amendment was agreed to.

Mr. Evans offered the following amendment to said substitute:

Strike out Section 8 of substitute.

Said amendment was disagreed to.

Mr. Greene offered the following amendment to said substitute:

Amend by adding the following section:

The axiom "ignorance of the law is no excuse" is not applicable to the Fish and Game Laws of Kentucky.

Said amendment was disagreed to.

Mr. John C. Duffy offered the following amendment to said substitute:

Amend by striking out Section 13.

Said amendment was agreed to.

Mr. Greene moved that said original bill, together with the substitute therefor, and all pending amendments offered thereto, be tabled.

The yeas and nays being required thereon by Messrs. Greene and Rountree, were as follows:

Those who voted in the affirmative were—

Harry Avery	H. H. Harrington	Lilburn Phelps
Jas. W. Barrall	W. E. Henninger	J. D. Pumphrey
Geo. B. Barrett	Dr. S. L. Henry.	Richard Radcliffe
Joseph Boitnott	D. H. Hillman	Dr. W. R. Ray
A. T. Bryson	J. J. Huff	B. T. Rountree
Ed. F. Cecil	J. M. Johnson	Ed. D. Stone
Odie Duncan	T. R. Jones	N. C. Tilford
W. N. Flippin	Griffin Kelly	James T. Webb
Vert C. Fraser	John H. Klette	W. M. Webb
Ed. Frost	Simon B. Lott	J. D. Wills
Frank C. Greene	C. R. Luker	Douglas G. Wood
E. V. Hall	T. T. Mobley	
W. L. Hampton	J. R. Mount	—37

Those who voted in the negative were:

Henry C. Blades	V. D. Hammond	William A. Perry
Elmer L. Brown	H. H. Hays	Dr. T. J. Poteet
C. W. Burton	R.B.Hutchcraft,Jr.	W. A. Price
Glover H. Cary	John A. Judy	Stanley F. Reed
J. G. Coke, Jr.	William J. Kuh	S. H. Rogers
Benj. L. Cox	Dr.J.N.M'Cormack	S. M. Saufley
James R. Dorman	John McDyer	W. A. Shawler
John W. Douglas	W. T. McNally	L. M. Smith
John Drescher	Harry J. Myers	Adam Spahn
H. C. Duffy	Zach. L. Myers	Matt.S.Walton,Jr.
John C. Duffy	John E. Newman	John F. White
William Duffy	C. B. Nichols	Roy S. Wilson
Thomas J. Evans	S. Mazyck O'Brien	Claude B. Terrell
C. M. Gum	A. W. Palmer	—41

And so said motion to table was disagreed to.

Mr. Douglas moved that the vote by which the House refused to table said bill with substitute and pending amendments be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Greene moved that this House do now adjourn.

Said motion was disagreed to.

Mr. Klette moved that all amendments offered to said bill and substitute be printed.

Said motion was disagreed to.

Mr. H. J. Meyers moved that the session of today be extended until the matter under consideration was disposed of.

Said motion was agreed to.

Mr. Judy moved that the further consideration of said bill, substitute and all pending amendments be postponed indefinitely.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills of the following titles:

S. B. 294. An Act concerning the trial and punishment of persons indicted for a felony or misdemeanor.

Ordered that said bill be referred to the Committee on State Prisons and Houses of Reform.

S. B. 295. An Act concerning the parole, by the State Board of Penitentiary Commissioners, of convicts confined in the penitentiary, Houses of Reform and State Reformatory and to provide for the employment, care and supervision of such convicts while on parole.

Ordered that said bill be referred to the Committee on State Prisons and Houses of Reform.

Mr. Roy S. Wilson moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 25, 1914.

The House was opened with prayer by the Rev. Benj. Andres, of the Southern Presbyterian Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of counties and representative districts bills were introduced, ordered printed and referred as follows:

By Mr. Mobley:

H. B. 577. An Act to amend the charter of Municipal corporations of the fourth class.

To Committee on cities of the fourth class.

By Mr. Shawler:

H. B. 578. An Act for the protection of fur-bearing animals.

To Committee on Fish and Game.

By Mr. Myers:

H. B. 579. An Act to amend Sections 2434, 2435 and 2436, Kentucky Statutes, Carroll's Edition, 1909, and declaring an emergency to conform to parcel post.

To Committee on State Capitol.

By Mr. Cary:

H. B. 580. An Act to amend Section 2 of an Act entitled "An Act to provide for the investigation of fires in this Commonwealth and to provide for the appointment of a Fire Marshal of the State of Kentucky and for assistants to the Fire Marshal; fixing their powers and duties; also to provide for the payment of the Fire Marshal's salary and the payment of expenses incurred in investigation of fires in this Commonwealth including the pay of assistants to the Fire Marshal," which was approved March 11, 1912.

To Committee on Insurance, Fire and Marine.

By Mr. Wilson:

H. B. 581. An Act appropriating money for the purpose of improving the Eastern Kentucky State Hospital, located at Lexington, Kentucky.

To Committee on Appropriations.

By Committee on Appropriations:

H. B. 582. An Act relating to appropriations to educational, charitable and other institutions of the Commonwealth of Kentucky.

By Mr. Myers:

H. B. 583. An Act providing transportation for county road engineer and committees of the Fiscal Court and making automobile trucks a part of road equipment.

Petitions were presented by Messrs. McDyer, Hays, Hillman, Huff, Duncan and Frazer signed by sundry citizens of the counties of Boyd, Monroe, Trigg, Harlan, Henderson and Ballard, urging the passage of an act authorizing a vote by the people on the constitutional amendment prohibiting the manufacture and sale of alcoholic liquors as a beverage.

Said petitions were received, read and ordered to be referred to the Committee on Alcoholic Liquor Traffic.

A petition was presented by Mr. Evans, signed by sundry citizens of Bath County, protesting against the passage of H. B. 277 and S. B. 183, designed to permit certain physicians to register as pharmacists.

Said petition was received, read and referred to the Committee on Public Health.

A petition was presented by Mr. Hutchcraft, signed by sundry citizens of Bourbon County petitioning the Kentucky Legislature, now assembled, to vote for H. B. 43 and S. B. 287.

Said petition was received, read and ordered to be referred to the Committee on State University and Normal Schools.

Petitions were presented by Messrs. Luker and N. B. White, signed by sundry citizens of Laurel and Ohio Counties, requesting the support of H. B. 411, introduced by Mr. Luker.

Said petitions were received, read and ordered to be referred to the Committee on Mines and Mining.

Mr. Poteet offered the following joint resolution:

Said resolution reads as follows:

Whereas, Abraham Lincoln, one of the greatest statesmen that this country has ever produced, one of the most scholarly and intellectual giants that ever graced the Presidential Chair, was a native Kentuckian;

Whereas, his honesty, purity of life, perseverence, nobleness of character are perhaps more often made mention of in speech and in writings than any man in public life that this country has ever known, which has a highly beneficial influence upon the people of the United States, and therefore no greater inspiration could be furnished to the youth of the present and future generations, as to the possibilities of the future for those who endeavor to emulate his ideals, than to visit the birthplace of the "Great Emancipator;"

Whereas, the Lincoln Farm Association, composed of patriotic American citizens, has seen fit to raise funds, by popular subscriptions, with which to erect a suitable Memorial on his birthplace in Larue County, Kentucky, to further perpetuate his memory;

Whereas, the Government of the United States would, no doubt, liberally provide for the maintenance and improvement of the Lincoln farm to a far greater extent than would be possible through any other source;

Whereas, the Honorable Ben Johnson of the 4th Congressional District of Kentucky, has seen proper to ask the Congress of the United States to accept this farm and memorial

which the Lincoln Farm Association wishes to tender to your government; therefore,

Be it resolved by the House of Representatives, the Senate concurring therein:

That we approve of the action taken by the Honorable Ben Johnson in calling the attention of Congress to this matter and we urge him, and through him, all of the Senators and Representatives from Kentucky in Congress to interest themselves to the fullest extent possible in inducing the Federal Government of the United States to accept from the Lincoln Farm Association this property, which will become a public shrine to which thousands will journey annually to review and gather added inspiration.

Be it further resolved, That a copy of these resolutions be spread upon the Journal, and also each member of Congress from the State of Kentucky be furnished with a copy of same.

Ordered that said resolution lie on the Clerk's desk.

Mr. Ampler offered the following joint resolution:

Said resolution reads as follows:

Resolution for the benefit of Judge John T. Hodge, of Newport, Campbell County, Kentucky.

Whereas, pursuant to an act of the General Assembly of the Commonwealth of Kentucky, Chapter 138, of the Acts of 1912, the Governor, on the second day of April, 1912, appointed and commissioned Judge John T. Hodge, of Newport, Campbell County, Kentucky, as additional judge to preside over the Criminal, Common Law and Equity Division of the Circuit Court for the Seventeenth Circuit Court District of Kentucky:

And whereas, said appointee, immediately qualified and

entered upon the discharge of the duties of said office, and continued exercising the same carrying on the business of said division of said court until, and including, the 13th day of June, 1912, a period of two months and eleven days:

And whereas, on said last named date the Court of Appeals decided that the act creating said office was unconstitutional and void, but that the acts and doings of said incumbent, as judge aforesaid, were legal, regular and binding, and, in its mandate, directed said appointee to make suitable orders, in said division of said court, transferring the business of said division to the original judge of said court, and directed the making of such orders on the jury fund of said county necessary to pay off and to discharge all jurors then in attendance on said division of said court:

And whereas, said incumbent presided over said division of said court for said period carrying on its business with efficiency and dispatch, and with great profit to the people of such district, but without pay therefor, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts be, and is hereby, authorized to draw his warrant on the Treasurer of the State in favor of Judge John T. Hodge of Newport, Campbell County, Kentucky, for five hundred and ninety-one dollars and sixty-three cents, being two months and eleven days salary as Circuit Judge, same being the fair value of the services rendered as aforesaid, and the same is to be paid out of any money not otherwise appropriated.

Ordered that said resolution lie on the Clerk's desk.

Mr. Poteet offered the following resolution:

Said resolution reads as follows:

Resolution on the death of Hon. C. L. Shawler.

Whereas, the Hon. C. L. Shawler, of Larue County, passed from life to death on the 17th day of January, 1914, at the ripe old age of 81 years, and,

Whereas, he was for two terms of the General Assembly of Kentucky, sessions of 1900 and 1902, a valued and honored member of the House of Representatives from Larue County, and,

Whereas, his son, the Hon. W. A. Shawler, is now an honored member of this body; therefore, be it

Resolved, First—That in his death his family have lost a real and genuine friend, companion and adviser, who was ever ready at any and all times to render any possible services at his command, that would be to their best interests.

Second—That his native county has lost one of her most upright and progressive citizens.

Third—That the State of Kentucky, through his death, has lost one of her most patriotic, honorable and honored citizens, he being twice a member of this legislative branch:

Be it Resolved, also, That a copy of these resolutions be spread upon the Journal of this House, and a copy furnished the bereaved family.

Said resolution was adopted.

Mr. Smith offered the following resolution:

Whereas, certain sophisticated rhetoricians, members of this august body, when in action become inebriated by the exuberance of their own verbosity, therefore, be it

Resolved, That the Speaker of the House be and is hereby empowered to appoint a committee of three, who shall select said offenders and clip, trim or amputate their oratorical pinions, so that said birds shall not be able to soar so high or so long.

Ordered that said resolution be referred to the Committee on Public Utilities.

Mr. Greene offered the following joint resolution:

Resolution relative to the erection of a statute to the memory of Jefferson Davis.

Be it resolved by the General Assembly of the State of Kentucky:

That the sum of $20,000.00 be appropriated out of the treasury to be expended in erecting a statute to the memory of Jefferson Davis, said statute to be erected in front of entrance to the Capitol Building and that the Speaker of the House and President of the Senate appoint a committee of seven to superintend the purchase and erection of said statute, within the next two years.

Ordered that said resolution lie on the Clerk's desk.

Mr. Burton called up from the Clerk's desk a resolution entitled:

S. Res. 8. Resolution for the payment of the widow of the late Special Judge, William Carnes, of the Breathitt Circuit Court.

Ordered that said resolution be referred to the Committee on Appropriations.

Mr. Hamilton, of the Committee on Revenue and Taxation gave notice to the House that said Committee would call up, for consideration the substitute for H. B. 45 on Friday, Feb. 27th.

Mr. Saufley, of the Committee on Appropriations, to which same had been referred, reported a joint resolution

which was introduced on February 24th by Mr. McCormack, with an amendment thereto, by way of substitute therefor, of the following title:

H. Res. 28. Resolution providing for a State Efficiency, Economy and Budget Commission.

(For said resolution see Journal of Feb. 24th.)

Said amendment, by way of substitute, for said resolution, reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a State Efficiency Economy and Budget Commission, to be composed of two members to be appointed by the Speaker of the House of Representatives, two senators to be appointed by the President of the Senate, and one member from the State at large to be appointed by the Governor. All the members of the Commission shall be persons familiar with and interested in the operations of the various departments, offices and other activities of the State's affairs, and in the efficient and economical administration of the same.

§ 2. The Committee shall organize within thirty days after its appointment and select a chairman and secretary from its own members. The members shall receive no compensation for their services, but their necessary expenses, when actually engaged in the performance of duty under this resolution, shall be paid. The Commission is authorized to employ an expert in state departmental and institutional management and finances for a period not to exceed six months at a salary not to exceed two hundred and fifty dollars per month, and a stenographer for such days as it may find necessary. The members of the Commission shall present a sworn statement to the Governor for the expenses so authorized and

incurred, and the Governor shall direct the Auditor to audit and pay the same as is provided by law for similar expenses.

§ 3. That it shall be the duty of said Commission to make a careful study of the administration, business and other methods in use in all the departments, offices, and other conditions of the State's affairs in comparison with those of other states insofar as information can be obtained and made profitable, with the view of practical suggestions for securing and promoting greater efficiency and economy in the administration of public affairs, and of preventing duplication of work and expense in and between such departments, offices or other activities. The Commission shall report to the Governor from time to time as may be deemed expedient, and it shall make a full report to the General Assembly of 1916, including a plan for a budget system for all appropriations and expenditures for the succeeding two years, and for each biennial period thereafter, and such other suggestions as to legislation and the reasons therefor as it may deem proper to put this State in line with the most progressive states in such matters.

Ordered that said resolution and substitute therefor be printed.

Mr. McDyer, of the Committee on Public Roads and Highways, to which the same had been referred, with leave to report upon notice to be given, notified the House that H. B. 196 would be called up for consideration at 10:30 a. m., Friday, February 27th.

The committees to which the same had been referred, reported bills of the following titles:

By Mr. Farris, of the Committee on Agriculture:

H. B. 537. An Act to amend Section 1333 of Chapter 36 of the Kentucky Statutes, Carroll's 1909 Edition.

With amendment thereto by way of substitute therefor.

By same:

H. B. 325. An Act for the protection of persons engaged in selling hay, grain, feed or provender for consumption by live stock.

With amendment thereto.

By Mr. Hampton, of the Committee on Alcoholic Liquor Traffic:

S. B. 104. An Act to amend Chapter 81, Article 1, entitled "Liquors, Intoxicating," of Kentucky Statutes, Carroll's Edition 1909, by repealing Section 2554 and 2557, and enacting other provisions in lieu thereof.

By the Committee on Appropriations:

H. B. 582. An Act relating to appropriations to educational, charitable and other institutions of the Commonwealth of Kentucky.

By Mr. Hutchcraft, of the Committee on Banks and Banking.

S. B. 84. An Act to amend and re-enact Sections 579 and 584, Kentucky Statutes, Carroll's Edition 1909, so that the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

With amendment thereto by way of substitute therefor.

By Mr. Radcliffe, of the Committee on Insurance, Fire and Marine:

H. B. 479. An Act to furnish protection and means of escape from fire in buildings.

With amendments thereto by way of substitute therefor.

By same:

H. B. 553. An Act to amend Section 702 of the Kentucky Statutes so as to further regulate assessment or co-operate fire insurance companies.

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 543. An Act to amend Section 170 of the Constitution of the Commonwealth of Kentucky.

Without expression of opinion.

By Mr. Roy S. Wilson, of the Committee on Insurance. Life and Accident:

H. B. 528. An Act to amend Section 656, Chapter 32, Article IV, Sub-division II, of the Kentucky Statutes, relating to life insurance.

With amendment thereto by way of substitute therefor.

By Mr. Webb, J. T., of the Committee on Judiciary:

H. B. 403. An Act to amend Sec. 3858 of Kentucky Statutes of 1909, relating to the making and recording of settle-

ments of personal representatives and fixing the fees of the officers making and recording same.

By Mr. Poteet, of the Committee on Public Health:

S. B. 164. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

By Mr. McDyer, of the Committee on Public Roads and Highways:

H. B. 297. An Act to repeal Section 1379, of Kentucky Statutes of 1909, relating to the working of prisoners on public works and roads and to substitute therefor.

By same:

H. B. 441. An Act to repeal an act entitled "An Act to amend the charter of the Twelve Mile Turnpike Company," approved March 1, 1854, which was approved January 22, 1867, and is Chapter 1069 of the Session Acts of 1867, and amended March 25th, 1898, and is Chapter 62 of the Session Acts of 1898.

By same:

H. B. 559. An Act declaring certain public roads, public works of the State of Kentucky.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 199. An Act relating to the sale and use of tobacco and cigarettes and providing punishment for violations thereof.

By Mr. Tieman, of the Committee on State Capitol:

H. B. 351. An Act authorizing the Commissioners of the Sinking Fund of Kentucky to sell and convey the House and ground known as the Governor's Old Mansion, and appropriating money to complete and furnish the Governor's New Mansion.

With amendment thereto by way of substitute therefor.

By Mr. Judy, of the Committee on Suffrage and Election:

S. B. 81. An Act to provide the time and manner of electing United States Senators.

By Mr. Nichols, of the Committee on State University and Normal Schools:

H. B. 524. An Act to provide for the election of alumni members of the Board of Trustees of the State University, Lexington, Kentucky, and for the appointment of such alumni members on the Executive Committee of the University.

With amendment thereto.

By same:

H. B. 498. An Act making hazing by the students of the universities, colleges, normal schools and high schools in Kentucky, unlawful and providing punishment therefor.

By Mr. Farris, of the Committee on Agriculture:

H. B. 433. An Act to protect drivers of stock on the public highways of this Commonwealth where the stock law is in force.

By Mr. Burton, of the Committee on Circuit Courts:

S. B. 145. An Act amending Section 965, Kentucky Statutes, Carroll's Edition 1909, changing the time of holding Circuit Court in the 29th Judicial District as to Casey County.

By same:

H. B. 47. An Act to change the Court Calendar of the 13th Judicial District.

With an amendment thereto.

By Mr. Radcliffe, of the Committee on Insurance, Fire and Marine:

H. B. 444. An Act to amend Sec. 699, Kentucky Statutes, relating to fire insurance in unauthorized companies.

With an amendment thereto.

By Mr. Johnson, of the Committee on Public Warehouses and Granaries:

H. B. 566. An Act to regulate the weight of a bushel of corn in the shuck.

Without expression of opinion.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

The House took up for consideration, from the calendar, a bill of the following title:

H. B. 442. An Act to amend an Act of March 5, 1898, en-

titled "An Act to create a Board of Penitentiary Commissioners and to regulate the penal institutions of this Commonwealth," as further amended by an Act of March 1, 1912, and to provide for the discontinuance of the contract system of prison labor.

Ordered that said bill be read the second time.

The provision of the Constitution as to the second reading of said bill at length being dispensed with, it was read the second time by its title.

Ordered that said bill be placed in the orders of the day.

Mr. McDyer, of the Committee on Public Roads and Highways, to which the same had been referred, with leave to report at any time, reported an amendment by way of substitute for bill entitled:

H. B. 132. An Act to amend an Act entitled "An Act defining public roads, providing for their establishment, regulation and construction and use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof."

Mr. S. H. Rogers moved that said bill be made a special order for Friday, February 27th, at 10.00 o'clock a. m.

Said motion was agreed to.

Mr. S. H. Rogers moved that said substitute for H. B. 132, and all pending amendments, be printed.

Said motion was agreed to.

Mr. Nichols, of the Committee on State University and Normal Schools, reported a bill of the following title:

H. B. 43. An Act to amend Sections 4527 and 4527a, Article 16, Carroll's Kentucky Statutes, Edition of 1909, relating to the Kentucky Normal and Industrial Institute for Colored Persons.

With the expression of opinion that same ought not to pass.

The question being taken on ordering said bill to a reading, the opinion of the Committee to the contrary notwithstanding, it was decided in the negative.

And so said bill was rejected.

Mr. Hamilton moved that the House extend the session until 1:00 o'clock and at said time recess until 3:00 o'clock p. m.

Said motion was agreed to.

Mr. Walton moved that the vote by which H. B. 43 was refused a reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. W. M. Duffy moved that H. B. 205 be made a special order for Tuesday, March 3rd, at 11:00 o'clock a. m.

Said motion was agreed to.

Mr. Reed moved that H. B. 220 be recommitted to the Committee on Immigration and Labor, with leave to report at any time.

Said motion was agreed to.

Mr. Klette moved that H. B. 171 be recommitted to the Committee on Kentucky Statutes, with leave to report at any time.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 35. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundaries of this State in part or in whole.

The hour of 1:00 o'clock having arrived, the House recessed until 3:00 o'clock.

Afternoon Session.

At 3:00 o'clock the House reconvened.

The House took up for consideration, the unfinished business from the morning session, viz.: H. B. 35.

Sundry amendments and substitute for bill and pending amendments having been offered to said bill, Mr. W. M. Duffy moved to have said substitute and all pending amendments printed.

Said motion was agreed to.

Mr. H. J. Meyers moved that the vote by which said sub-

stitute and all pending amendments was ordered printed be reconsidered and said motion lie on the table.

Said motion was agreed to.

Mr. J. C. Duffy moved to reconsider the vote by which the House ordered said substitute to H. B. 35 printed.

Mr. H. J. Meyers moved that said motion be tabled.

Said last named motion was agreed to.

Mr. Hamilton moved that the further consideration of H. B. 35 be postponed until Saturday, February 28th, at 11:00 o'clock a. m.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 305. An Act to amend an Act entitled "An Act to amend the school laws and to create boards of education and to define their duties in cities of the first class."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section two of an Act entitled "An Act to amend the school laws and to create Boards of Education and to define their duties in cities of the first class," approved March 4, 1910, be and the same is hereby amended and the said Act is amended by adding to section two of said Act the following words:

"Every such Board of Education shall have the power at

the beginning of each fiscal year to appropriate a sum, in amount, not exceeding one (1) per centum of the revenue available for that year raised by taxation levied by such city for school purposes and contribute and pay same to the treasurer of the teachers' annuity fund; said money so appropriated and contributed shall be a part of said teachers' annuity fund to be managed and distributed as provided by law," so that when amended said section shall read as follows:

"Section 2. Every such Board of Education shall have exclusive control of the common schools, including kindergartens, high schools, manual training schools and normal schools, as hereinafter provided, and of common school property in such city; shall exercise generally all powers in the administration of the common school system therein, appoint such officers, agents and employes, as it may deem necessary and proper and fix their compensation; and shall have power to fix the time of its meetings, to make, amend and repeal rules and by-laws for its meetings and proceedings, for the government, regulation and management of the common schools and school property in such city, for the transaction of its business, and for the examination, qualification and employment of teachers, which rules and by-laws shall be binding on such Board of Education and all parties dealing with it until formally repealed by an affirmative vote of four members of said Board; to provide for special and standing committees, and to certify to the General Council the amount of money necessary for the maintenance and improvement of the schools as hereinafter provided, and to purchase and hold all property, real and personal, necessary for the purposes of public educations, to build and construct improvements for such purposes to hold or sell the same. Every such Board of Education shall have the power at the beginning of each fiscal year to appropriate a sum, in amount, not exceeding one (1) per centum of the revenue available for that year raised by taxation levied by such city for school purposes and con-

tribute and pay same to the treasurer of the teachers' annuity fund; said money so appropriated and contributed shall be a part of said teachers' annuity fund to be managed and distributed as provided by law."

§ 2. The general school laws of this State and all laws and parts of laws applicable to the general system of common schools, in a city of the first class and not inconsistent herewith, shall be in full force and effect in such city.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Peter Ampler	John Drescher	D. H. Hillman
Harry Avery	H. C. Duffy	J. J. Huff
Jas. W. Barrall	John C. Duffy	R.B.Hutchcraft,Jr.
Geo. B. Barrett	William Duffy	J. M. Johnson
J. M. Billeter	W. N. Flippin	T. R. Jones
Henry C. Blades	Vert C. Fraser	Griffin Kelly
Joseph Boitnott	Ed. Frost	John H. Klette
Elmer L. Brown	John F. Fryer	William J. Kuh
A. T. Bryson	Frank C. Greene	J. C. Lay
C. W. Burton	C. M. Gum	Simon B. Lott
Glover H. Cary	E. V. Hall	Dr.J.N.M'Cormack
Ed. F. Cecil	W. L. Hampton	John McDyer
J. G. Coke, Jr.	V. D. Hammond	W. T. McNally
Benj. L. Cox	H. H. Harrington	John G. Miller, Jr.
James R. Dorman	H. H. Hays	T. T. Mobley
John W. Douglas	Dr. S. L. Henry	J. R. Mount

Harry J. Myers	Dr. T. J. Poteet	Ed. D. Stone
Zach L. Myers	W. A. Price	Louis Tieman
John E. Newman	J. D. Pumphrey	Matt.S.Walton,Jr.
C. B. Nichols	Richard Radcliffe	James T. Webb
S. Mazyck O'Brien	Dr. W. R. Ray	W. M. Webb
A. W. Palmer	S. H. Rogers	John F. White
Lyman J. Parrigin	B. T. Rountree	N. B. White
Lilburn Phelps	W. A. Shawler	Roy S. Wilson
John A. Polin	L. M. Smith	Douglas G. Wood
William A. Perry	Adam Spahn	—77

Resolved, That the title thereof be as aforesaid.

Mr. Coke moved that the rules be suspended and that the House take up for consideration, from the orders of the day, a bill entitled:

H. B. 63. An Act to establish an Insurance and Annuity Fund for public school teachers of cities of the second class.

Said motion was agreed to.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The general care and management of the insurance and annuity fund of the public school teachers of the cities of the second class shall be vested in the treasurer of the Board of Education, or, if a bank be the treasurer, in the president thereof, the superintendent of the public schools, the president of the Board of Education, and four members of the teaching staff, the last named to be chosen by ballot at a meeting of the teachers called by the superintendent of public schools on the second Saturday of May in each year. At this meeting any vacancy in the membership of the Board of Insurance and Annuity, to be filled from among the teachers,

shall be filled by ballot. The length of service of the four members, from among the teachers chosen at the first election, shall be determined by lot; one member shall serve for four years, one member shall serve for three years, one member shall serve for two years, and the remaining member shall serve for one year, and thereafter one member shall be elected each year. Said board shall establish, from time to time, such rules and regulations for administration of said fund as it may deem best, and said board shall make payments from the said fund of annuities granted in pursuance of this act. The members of this board, with the exception of the treasurer, shall serve without remuneration.

The treasurer of the Board of Education of the city of the second class shall receive and hold all moneys belonging to said funds, and may invest the same, by direction of said Board of Insurance and Annuity, in national, state, county, or municipal bonds or bonds accompanied by first mortgages on improved real estate, or in such investments as are deemed legal for insurance companies in the State of Kentucky, to an extent not to exceed fifty cents of the value thereof. Said treasurer shall make payments from said fund only when directed by said Board of Insurance and Annuity. Said treasurer shall report in detail to said Board of Insurance and Annuity, annually, on the second Saturday of May, or oftener, if required by said Board, the condition of said fund and the items of the receipts and disbursements of the same. Said treasurer shall give bond for the faithful performance of his duties in an amount and in such manner as prescribed by the Board of Insurance and Annuity, and the cost of such bond shall be defrayed from the funds of the Board of Insurance and Annuity. From said fund shall also be paid to the treasurer, annually, an amount decided upon by the Board of Insurance and Annuity, as remuneration for his services.

§ 2. The Insurance and Annuity fund shall consist of the following, with interest, income and profits thereof:

1. The sum of one thousand ($1,000) dollars or more yearly may be provided by the Board of Education of a city of the second class, out of funds coming to its hands for maintenance of schools.

2. A fund may be provided by the Board of City Commissioners which shall be raised by a yearly levy of one cent on every hundred dollars' worth of taxable property in said city.

3. After the Board of Education of a city of the second class has provided for the payment of $1,000 yearly or more, and the Board of Commissioners of said city of the second class has levied a tax of one cent on every hundred dollars' worth of taxable property of such city for the maintenance of an Insurance and Annuity Fund for the teachers in the public schools of said city; then one per centum of the salaries of all teachers of the public schools of such city who have been engaged in teaching in said public schools for ten years or under, and two per centum of the salaries of all teachers who have been engaged in teaching more than ten years, shall be withheld and added to the fund, provided that no payment shall exceed forty ($40) dollars per annum. The treasurer of the Board of Education of such city shall deduct, monthly, from the salary of every teacher the amount provided for in said schedule, which amount shall be turned monthly into said Insurance and Annuity Fund.

After the passage and adoption of this act each contract made with teachers by the Board of Education of such city shall specify that the sums in this paragraph provided shall be deducted from each and every teacher's salary. Any teacher who shall retire, or who shall be retired from service as teacher, and who shall not be in receipt of or entitled to an annuity under this act, shall have refunded to him or her three-fourths of the amount, without interest, which he or she has contributed to the Insurance and Annuity Fund. If such teacher shall again teach in public schools and shall, within a

time specified by the Board of Insurance and Annuity, repay to said fund the amount so returned to such teacher, together with simple interest on said amount (not to exceed four per centum per annum), such teacher shall, upon returning to regular school work, receive credit for past years of service. In the event of the death of any teacher entitled to the provisions of this act, before such teacher has been retired upon an annuity, then and in that case the heirs or legatees of such deceased teacher shall be entitled to a sum out of said fund equal to three-fourths the sum, without interest, paid by such teacher into said fund.

4. Moneys received from donations, legacies, bequests, gifts, devises, or otherwise, may be used to augment this fund and the amount or amounts so received, together with ten per centum of all other receipts, shall constitute a sinking fund, and such sinking fund shall be and remain a permanent fund and no part thereof shall be expended except the interest and income thereof and therefrom, provided that one-half of the amount added to such sinking fund may be used during the year immediately following its addition, if its use be deemed necessary by the Board of Insurance and Annuity.

5. All such other increment as may be duly and legally devised for the increase of said fund.

§ 3. 1. The Board of Insurance and Annuity shall annually appoint three surgeons or physicians of at least ten years' active practice, who shall be known as the Board of Medical Examiners, who shall serve without pay, and who shall, upon request of the Board of Education or the Board of Insurance and Annuity, make examinations and report their findings in writing to the board making such request.

2. On recommendation of a majority of said Board of Education said Board of Insurance and Annuity shall place on the disability list any teacher of the public schools of such city who has been engaged in the work of teaching for a period aggregating fifteen years in the public schools of the State

of Kentucky, the last ten years of which shall have been in the public schools of the city granting the annuity, and who is found by said Board of Medical Examiners to be mentally and physically incapacitated for the further performance of duty as a teacher.

3. Any teacher of the public schools of such city who has been engaged in teaching in the public schools of the State of Kentucky for a period aggregating fifteen years, the last ten of which shall have been in the public schools of the city granting the annuity, shall have the right to apply to the Board of Insurance and Annuity to be placed on the disability list, on the ground that he or she is physically or mentally incapacitated for further performance of duty as a teacher. Any applicant for retirement on said ground of disability shall submit to a proper examination by said Board of Medical Examiners before his or her application shall be considered.

4. Nothing in this act shall be construed as prohibiting the Board of Insurance and Annuity, by a majority vote, from recommending to the Board of Education that the disability of a teacher retired under this section shall be ended. Said Board of Education may, on the recommendation of said Board of Insurance and Annuity, declare ended the disability of a teacher retired under the terms of this section, and, upon its delivery to said teacher of a contract of re-appointment to a position as teacher, the payment of the annuity of such teacher under this disability clause shall be discontinued. In no case, however, shall disability provided for in this section be declared ended or finished until an examination of such teacher has been made by said Board of Medical Examiners.

5. The provisions of this section shall not apply to ordinary cases of temporary disability.

6. Upon retirement under the disability act, such teacher shall be entitled to receive, during the period of dis-

ability, a retirement annuity, payable in monthly installments, which shall be the same fraction of the maximum retirement annuity as said teacher's time of service is of thirty-five years, provided that application for such retirement annuity shall be made not later than two years after the termination of the last month of employment. The payment of said annuity shall date from the time of the granting thereof by said Board of Insurance and Annuity.

§ 4. 1. Upon the recommendation of the Board of Education, the Board of Insurance and Annuity shall place on the retired list any teacher who has taught in the public schools for a period aggregating twenty-five years, twenty years of which shall have been in the public schools of the State of Kentucky, and the last fifteen years in the public schools of the city wherein said teacher is employed at the time of retirement.

2. Any teacher of the public schools of such city who has taught for a period aggregating not less than twenty-five years, twenty years of which shall have been in the public schools of the State of Kentucky and the last fifteen years in the public schools of the city granting the annuity, shall have the right, upon application to the Board of Insurance and Annuity, to be placed on the retired list.

3. The annuity of any teacher retired under the provisions of this act, after twenty-five years of employment, shall be thirty per centum of his or her average contractual salary for the last five years before retirement, and two per centum of his or her average contractual salary for the last five years before retirement for each and every year of employment in excess of twenty-five years; provided, however, that unless otherwise specified, no annuity shall be more than fifty per centum of a teacher's average contractual salary for the past five years before retirement, and provided, further, that no annuities granted under the provisions of this act shall be more than six hundred ($600) dollars.

4. No annuities shall be paid, under the provisions of this act, unless the retiring teacher shall have first paid into the Insurance and Annuity Fund such sum or sums as shall make his or her total payments equal to the amount of the annuity paid for the first year; but should such retiring teacher be unable to pay the full amount of said sum before receiving the annuity, the Board of Insurance and Annuity shall, in paying the annuity of such teacher, withhold from each monthly payment twenty per centum thereof until the full amount hereinbefore provided for shall have been contributed to the fund.

5. If said Insurance and Annuity Fund shall, at any time, be found insufficient to carry out the provisions of this act, the amount in said fund shall, during the continuance of such insufficiency, be distributed, pro rata, among the persons entitled thereto, and such distribution shall be in full of all annuities then due.

6. Any teacher may be given leave of absence for study, professional improvement, or temporary disability, and shall be regarded as a teacher and entitled to the full benefits of this act, provided that the payment of such funds shall be continued during said leave of absence and shall equal the assessment paid by such teacher for the next year preceding the period or periods of absence, respectively.

7. In computing time, under the provisions of this act, such time shall include the period of service rendered both before and after the taking effect of this act. Credit shall be given for time spent as a regular and salaried substitute teacher.

8. The payment of said annuity shall be suspended whenever the person to whom said annuity has been granted resumes work as a regular and salaried teacher in any public school.

9. Unless otherwise determined by each respective Board of Insurance and Annuity in a city of the second class

of the State of Kentucky no annuities shall be paid out of said fund for the first three years after the passage and adoption of this act.

§ 5. The Board of Insurance and Annuity shall have power to make definite by-laws and regulations for the holding of meetings, the collection and disbursement of money, and the care and preservation of the same, and the proper execution of the provisions and purposes of this act.

§ 6. All annuities granted and payable under the provisions of this act shall be and are exempt from seizure or levy upon attachment, execution, or any other process of law, or in equity, whether mesne or final; and such annuities or any payment of the same shall not be subject to sale, assignment, or transfer by any beneficiary, and such transfer shall be absolutely void.

§ 7. The term "teacher" as used in this act shall mean and include any superintendent, assistant superintendent, principal, assistant principal, person in charge of any special department of instruction, and any teacher or instructor regularly employed in the public schools or public kindergartens of the cities of the second class in the State of Kentucky.

§ 8. The term "Board of Education" as used in this act shall mean the bodies now in control and management of the public schools of all cities of the second class in the State of Kentucky, as now created and constituted, or as they may be constituted hereafter, or any boards or bodies of officials who shall have the control and management of the public schools of such cities.

§ 9. The provisions of this act shall take effect and be in force in any city of the second class of the State of Kentucky from and after its passage and approval by the Governor, and its adoption by the Board of Education and by the Board of City Commissioners of said city.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	H. H. Hays	C. B. Nichols
Harry Avery	W. E. Henninger	S. Mazyck O'Brien
Joseph Boitnott	Dr. S. L. Henry	A. W. Palmer
Elmer L. Brown	D. H. Hillman	Lilburn Phelps
A. T. Bryson	J. J. Huff	William A. Perry
C. W. Burton	R.B.Hutchcraft,Jr.	John A. Polin
J. G. Coke, Jr.	J. M. Johnson	Dr. T. J. Poteet
Benj. L. Cox	T. R. Jones	W. A. Price
John W. Douglas	John A. Judy	J. D. Pumphrey
John Drescher	Griffin Kelly	Richard Radcliffe
H. C. Duffy	John H. Klette	Dr. W. R. Ray
John C. Duffy	William J. Kuh	Stanley F. Reed
William Duffy	J. C. Lay	B. T. Rountree
W. N. Flippin	Simon B. Lott	S. M. Saufley
Vert C. Fraser	Dr.J.N.M'Cormack	W. A. Shawler
Ed. Frost	Geo. M. McDowell	L. M. Smith
John F. Fryer	John McDyer	Adam Spahn
Frank C. Greene	W. T. McNally	Ed. D. Stone
C. M. Gum	John G. Miller, Jr.	Louis Tieman
E. V. Hall	T. T. Mobley	Matt.S.Walton,Jr.
Elwood Hamilton	J. R. Mount	James T. Webb
W. L. Hampton	Harry J. Myers	John F. White
V. D. Hammond	Zach. L. Myers	N. B. White
H. H. Harrington	John E. Newman	—71

Resolved, That the title thereof be as aforesaid.

Mr. Smith moved that the rules be suspended and that

the House take up for consideration, from the orders of the day, a bill entitled:

H. B. 77. An Act to amend an Act entitled "An Act for the government of cities of the fourth class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course become a law, and as same, has since been amended, all of which said Act and amendments now appear in Article 5 of Chapter 89 of the Kentucky Statutes, John D. Carroll's Edition thereof in 1909, whereby cities of the fourth class may go under the Commission Form of Government.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act entitled "An Act for the government of cities of the fourth class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter became a law, and the amendments thereto, which act and which amendments do now appear as Article 5, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909, be amended by adding thereto, at the end thereof the following provisions:

1. Any city of the fourth class under the laws of the Commonwealth of Kentucky, may become organized and be governed under the provisions of this act by proceeding as hereinafter provided. Organizing under this act shall not change the corporate entity of such city, but the body politic and corporate shall remain the same body that it now is.

2. All laws applicable to and governing cities of the fourth class and not inconsistent with the provisions of this act, shall continue to apply to and govern each city that may organize under this Act. And all by-laws, ordinances and resolutions in force in any such city and not inconsistent with

the provisions of this act, shall continue to be in force until altered or repealed in manner provided for in this act.

3. It shall be the duty of the County Judge in the county in which is located a city proposing to take the sense of its voters, as herein provided, upon the question of organizing and being governed under this act, upon the application by written petition signed by a number of the legal voters of the said city equal to twenty-five per centum of the votes cast in said city at the last preceding general election, to receive said petition, and at the next regular term thereafter, to make an order in his order book directing an election to be held in said city at the next regular election, and not earlier than sixty days after said application is lodged with the said Judge, which order shall direct the Sheriff, or other officer of said county who may be appointed to hold said election, to open the polls at each and all of the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question of whether or not the citizens in said city are in favor of the organization and government of said city under the provisions of this act. The question to be submitted to the voters shall be:

"Are you in favor of the organization and government of the city of ..... under the provisions of an act to amend an Act entitled 'An Act for the government of cities of the Fourth Class in the Commonwealth of Kentucky' which was approved March 19th, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as Article 5, of Chapter 89 of the Kentucky Statutes, in John D. Carroll's Edition thereof, in 1909, adopted by the General Assembly of Kentucky at the 1914 session thereof."

It shall be the duty of the county clerk to give to the sheriff of the county, or to such officer as may be appointed to hold said election, a certified copy of the order of the county court, as it appears on the order book, within five days

after such order is made; and it shall be the duty of said sheriff, or other such officer, to have said order published in some weekly or daily newspaper, published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written hand bills, posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of said paper refuses to publish such notice, the printed or written hand bills provided for, shall be sufficient notice. The sheriff or other such officer shall have the advertisement and notices herein provided for posted as herein required, within seven days after he receives the order of the county court. All elections provided for in this act, except the primary elections, shall be held on the regular election day, by the regular election officers.

If it shall be found that a majority of the legal votes cast at the election herein above provided for, were given for or against said proposition submitted, it shall be the duty of the canvassing board to certify that fact, which certificate shall be delivered to the clerk of the county court and a copy thereof delivered to the clerk of the city, and at the next regular term of said court the county judge shall cause the same to be spread on the order book of said court, and the entry of said certificate in the order book, or copy thereof, shall be prima facie evidence of the facts therein contained.

When a majority of the votes cast shall be in favor of organizing and governing the city under the provisions of this act, and said fact shall be certified as hereinbefore provided, by the said canvassing board of the county to the county clerk, a copy of which shall be certified to the city clerk, and said copy of said certificates shall be spread upon the records of said county, as herein provided, and upon the records of said city, at the next regular meeting of the city council thereupon said city shall be organized and governed by the provisions of this act.

4. All the present officers of any city who were elected to the same shall hold their offices until the expiration of the same; and, if the vote was in favor of the proposition above referred to, then the said offices shall be abolished at such expiration ipso facto. At the November election prior to such expiration an election shall be held under the provisions of this act, for such offices as shall so expire.

5. At the regular city election in November of the year next following the year in which said election is held, there shall be elected by the qualified registered voters of the city, four Commissioners. Said officers shall be elected from the city at large, and only in the following manner:

6. No person shall be elected without first having been nominated in the manner hereinafter prescribed. On the third Saturday before the day for the regular election, there shall be held a primary election. Said primary election shall be conducted by the same officers chosen and acting in the same manner, with the same rights and duties as in the later regular election.

Each application for nomination shall, at least ten days before the day of said primary election, file with the county clerk a petition signed by at least one hundred voters and in the following form:

We, the undersigned, qualified voters of the city of ..... (naming it), and residing each at the place indicated opposite his name signed hereto, do hereby request that the name of ..... (naming the applicant) be placed on the ballot as that of an applicant for nomination for the office of ..... (naming the office sought), at the primary election to be held in our city on the third Saturday before the next regular election. We know the applicant to be a qualified voter of the city and a man of good character; and he is, in our judgment, qualified for the duties of the office sought by him."

NAMES	NUMBERS	STREETS

Such petition shall be verified by the affidavit of some person or persons as to the genuineness of the signatures and addresses of the signers.

No voters shall sign more than one such petition with reference to each office that is to be filled. In the event that a person shall sign more than one petition of applicants for nomination for Mayor or Police Judge, or shall sign the petitions of more than four applicants for nomination for Commissioners, then the name of said petitioner shall not be counted as a valid name on any of said petitions. Immediately upon the expiration of the time for filing such petitions, the said County Clerk shall cause to be published for three successive days in the official newspaper of the city, and in such other papers as he may designate, in proper form, the names of the persons as they will appear upon the primary ballots; and the said Clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Upon said ballots the names of said applicants for each nomination shall be placed in alphabetical order with a square at the right of each name, and above the names of the applicants for nomination for Mayor shall be printed the words "Vote for one," and above the names of the applicants for the nominations for Commissioners shall be printed the words "Vote for four."

The ballots shall contain no party designation, or emblem of any kind, nor any sign indicating any applicant's political belief or party affiliation.

Having caused said ballots to be printed the said county clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last preceding general municipal election for Councilmen. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and the law applicable to challenges made at a general municipal election shall be applica-

ble to challenges made at such primary election. The officers of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in each precinct for each of the applicants, and make return thereof to the county clerk upon proper blanks to be furnished by the said clerk within six hours of the closing of the polls. On the day following the said primary election the County Board of Election Commissioners shall canvass said returns so received from all the polling precincts, and shall publish in the official newspaper of the city at least once, the result thereof. Said canvass by the County Board shall be publicly made.

At such primary election the two applicants receiving the highest number of votes for nomination for Mayor shall be thereby nominated; and the two applicants receiving the highest number of votes for nomination for Police Judge shall be thereby nominated; and the eight applicants receiving the highest number of votes for nominations for Commissioners shall be thereby nominated.

7. At the regular election next following, the names of the appointees shall be placed in alphabetical order upon ballots differing from those used at the nomination only in that they (the election ballots) shall contain only the names of the successful applicants for nomination. And the one nominee receiving the greatest number of votes cast for Mayor, and the nominee receiving the greatest number of votes cast for Police Judge, and the four nominees receiving the greatest number of votes cast for Commissioners, shall be elected respectively Mayor, Commissioners and Police Judge.

8. Every fourth year after the regular election herein above provided for, at the corresponding times of the year, a primary election and an election shall be held in the same manner, and for the same offices as above described.

9. Any legal voter of not less than twenty-five years of

age, and possessing the other qualifications prescribed by law, shall be eligible to election to any office under this act.

10. The Mayor and Police Judge shall be elected for a term of four years beginning on the first Monday in January following their election. The Mayor shall receive an annual salary of One Hundred Dollars, and the Police Judge an annual salary of Four Hundred Dollars.

11. The first election for Commissioners, if it does not occur at the same time as the election of Mayor and Police Judge, shall be for a term expiring with that of the Mayor and Police Judge, and thereafter the election of Mayor, Police Judge and Commissioners shall occur at the same time. The Commissioners shall receive an annual salary of Fifty Dollars.

The Commissioner of each department shall keep a public office at the city building, at which place he may be found or communicated with during stated hours, to be fixed by him for the convenience of the public, unless special duty shall call him elsewhere.

12. The Mayor and the four Commissioners shall constitute a Board of Commissioners. In this Board of Commissioners shall be vested all the legislative, executive and administrative power of the city, save as herein otherwise provided.

13. Three members of the Board of Commissioners shall constitute a quorum, but the affirmative vote of at least three members shall be necessary to the adoption of any motion, resolution or ordinance, to the making or approval of any contract, or to the passage of any measure.

Upon each vote the yeas and nays shall be recorded and each motion, resolution and ordinance shall be reduced to writing and read before the vote is taken thereon.

The Mayor shall preside at meetings of the Board. He shall have no veto power. But each resolution, measure, or ordinance shall be signed by him, or by two commissioners, and recorded before it shall take effect.

The Board of Commissioners shall, at the beginning of its term of office, elect, by a majority of all its members, one Commissioner to act as Mayor pro-tem; and the Commissioner so chosen shall be invested with all the powers and shall perform all the duties of the Mayor, in the event of his absence from the city, or his inability to attend the duties of his office.

14. Every ordinance or resolution ordering the construction or reconstruction of any street or sewer, or making or authorizing any contract involving the expenditure of more than one Hundred Dollars ($100.00) or granting any franchise or the right to use or occupy the streets, highways, bridges or public places of the city for any except a merely temporary purpose, shall after its introduction and before its adoption remain on file at least one week for public inspection in the completed form in which it shall be put upon its final passage; and no such ordinance or resolution shall go into effect until the expiration of ten days after its passage, except in cases of emergency, the public health or safety shall require that it take immediate effect, which fact shall be declared by the unanimous vote of the Board of Commissioners.

15. The Board of Commissioners shall meet at least twice per month for the transaction of its business. It shall fix by ordinance the times of holding its regular meetings. Any special meeting may be called by the Mayor or by two Commissioners. All meetings shall be public.

16. The administrative functions of the city shall be classified under five departments, to-wit:

1. Department of Public Affairs.
2. Department of Public Finance.
3. Department of Public Safety.
4. Department of Public Works.
5. Department of Public Property.

17. The Board of Commissioners shall determine the functions of each department, and shall prescribe the duties of its Commissioner and his employes. It may assign an employe to one or more departments or require any employe to perform duties in two or more departments. It shall make all such rules and regulations, as to the conduct of the various departments as may be necessary and proper for the efficient and economic conduct of the business of the city.

18. The Mayor shall be the Commissioner of the Department of Public Affairs; and he shall have a general advisory supervision over the affairs of all the departments.

The Board of Commissioners shall, at its first regular meeting designate by majority vote one Commissioner to have superintendence of the Department of Public Finance; one other Commissioner to have superintendence of the Department of Public Safety; one other Commissioner to have superintendence of the Department of Public Works; and one other Commissioner to have superintendence of the Department of Public Property.

19. The Board of Commissioners shall also at its first meeting, or as soon thereafter as may be practicable, appoint all such employes as may be necessary for the proper and efficient conduct of the affairs of the city.

All such employes shall be agents, not officers of the city; and they shall perform such duties, and for such compensation as the Board of Commissioners may by ordinance prescribe. Each employe shall be selected with reference solely to his fitness, and for the good of the public service (without reference to his political faith or party affiliation) and the Board of Commissioners shall adopt such rules and regulations looking to the appointment and discharge of employes as will tend to carry out the spirit of this provision and lead to the establishment of the merit system in public service.

Each of said agents shall give a bond for the faithful discharge of his duty in such amount as the Mayor and Com-

missioner shall fix, not less than Five Hundred ($500.00) Dollars.

20. The Board of Commissioners shall at the termination of each month of the fiscal year cause to be printed in the official newspaper an itemized statement of all receipts and expenses of the city, at end of each six months.

At the termination of each fiscal year the Board of Commissioners shall cause one or more competent accountants to make a complete examination of the books and accounts of the city, and shall cause the result of such examination to be published in the official newspaper and in pamphlet form, and a copy of the report in pamphlet form to be given to each voter who may apply for same at the proper office.

21. In case of death, resignation or inability of the mayor, causing a permanent vacancy in said office, the mayor pro-tem shall act as Mayor and shall possess all the rights and powers and perform all the duties of the Mayor and receive his salary, under the official title, however, of Mayor pro-tem, until such vacancy in the office of Mayor is filled by an election ordered by the Board of Commissioners for that purpose, at which time the Mayor, pro-tem, if his term as Commissioner be then unexpired, shall resume his duties as such Commissioner.

In the event that any Commissioner shall for more than thirty days be necessarily absent from the city, or for the same period shall be unable or other cause, to discharge the duties of his office, or in the event the mayor pro-tem shall be filling the office of mayor as contemplated in section above for such period, the Board of Commissioners may fill such office temporarily by appointment, and said appointee shall discharge the duties of the Commissioner, whose place may thus be temporarily filled until such Commissioner shall return or become fit for and resume his duties, and any such temporary appointee shall serve without compensation.

In the event of a permanent vacancy in the Board of

Commissioners caused by the death, resignation, inability of any member thereof, or in the event a permanent vacancy in the office of mayor shall be filled by the mayor pro-tem, and such vacancy shall be filled by appointment by the other members of the Board until the vacancy shall be filled by the election of a successor at the next regular election of municipal officers, as is prescribed by law, and such temporary appointee shall, for the time he serves as such, receive the salary of the Commissioner whose place he has been appointed to fill.

A vacancy shall exist when any elective officer fails to qualify within ten days after notice of his election, or dies (or resigns or moves his domicile outside the city, or remains outside the city for a period of six months, or is convicted of a felony, or is judicially declared insane, or is removed from office in any manner).

22. In case of misconduct, inability, or wilfull neglect in the performance of the duties of his office, the Mayor or any Commissioner may be removed from office by a unanimous vote of the other four members of the Board of Commissioners, but no such officer shall be so removed without having been given the right to have a full public hearing with representation by counsel, and with witnesses summoned on his behalf and required to testify. The finding of fact at any such hearing, and the reasons for any such removal shall be stated in writing and filed as a matter of public record.

23. If during the ten days next following the passage of any such ordinance as cannot within said ten days become effective, a petition signed by a number of voters equal to at least twenty-five per centum of the total number of votes cast for both candidates for Mayor at the last preceding regular election for Mayor, stating the residence of each signer and verified as to the signatures and residences by the affidavits of some one or more persons, shall be presented to the Board of Commissioners, protesting against the passage

of such ordinance, such ordinance shall be suspended from going into effect, and shall be reconsidered by the Board of Commissioners. If such ordinance be not then repealed the Board shall submit to the voters of the whole city, at either a special or regular election according to law, the following question, "Shall the Ordinance (briefly describing it), go into effect?" And if a majority of the votes cast upon the question be in the negative, the ordinance shall not go into effect, but if a majority of the votes cast upon such question be in the affirmative, the ordinance shall go into effect as soon as the result is officially ascertained and declared.

24. If a petition signed by a number of voters equal to at least twenty-five per centum of the total number of votes cast for both candidates for Mayor at the last preceding regular election for Mayor, stating the residence of each signer, and verified by the affidavits by some one or more persons, as to the signature and residence, requesting the board of Commissioners to pass an ordinance therein set forth—if such petition presented to the Board of Commissioners, and if the ordinance therein requested to be passed, be one that the Board has a legal right to pass, then the Board shall either pass such proposed ordinance without alteration, within ten days after such petition is filed, or submit the question of its passage to the voters of the city at the next regular election. At such election the question submitted shall be:

"Shall the proposed ordinance (briefly describing it) be passed?"

If the majority of the votes cast upon said question be in the affirmative, the ordinance shall be thereby passed, and shall become effective as soon as the result is officially ascertained and declared, and such ordinance shall not be amended or refused, except by the voters at a regular city election. Any number of proposed ordinances requested by petition as above provided for may be voted on at any election.

The Board of Commissioners may submit the question

of the repeal or amendment of any such ordinance to the voters at any succeeding regular city election, and if a majority of the votes cast on such question be in favor of the repeal or amendment, such ordinance shall be thereby repealed or amended as the case may be.

25. Whenever a question of passage of a proposed ordinance or of the going into effect, or the repeal, or the amendment of an ordinance, is to be submitted to the voters at an election, the Board of Commissioners shall cause the proposed ordinance or ordinances, or the ordinance and amendments, as the case may be, to be printed once in a newspaper of said city, and in such other newspapers as the Board of Commissioners may direct before such election.

26. The expenses of all primary elections under the provisions of this act shall be paid by the city.

27. The Mayor and each Commissioner shall execute a bond to the city upon which an action may be maintained by any person or persons interested in the keeping of the covenants therein contained in the penal sum of Two Thousand ($2,000.00) Dollars, conditioned upon the faithful performance of his official duty; such bond to be approved by the County Judge and filed as a matter of public record.

28. Nothing herein shall be construed to apply to the organization, existence or conducting the affairs of the Board of Education.

29. Whenever the citizens of any city, which shall have been organized and governed under the provisions of this act for a period of not less than four years, shall desire that the organization and government of such city under the provisions of this act shall terminate and cease, and said citizens shall file with the County Judge of the County in which is located such city, written petition signed by a number of the legal voters of said city equal to thirty-three and one-third per centum of the votes cast in said city at the last preceding general election, it shall be the duty of the County Judge of said county to receive said petition and at the next regular

term thereafter to make an order on his order book, directing an election to be held in said city at the next regular election and not earlier than sixty days after said application is lodged with the said Judge, which order shall direct the Sheriff or other officer of said county, who may be appointed to hold said election, to open the polls at each and all the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens of said city are in favor of the abandonment of the organization and government of said city under the provisions of this act. The question to be submitted to the voters shall be: "Shall the city of.....
(naming the city) abandon its organization and government under the provisions of an act to amend an act entitled 'An Act for the government of cities of the Fourth class in the Commonwealth of Kentucky', approved March 19th, 1904, and thereafter in due course become a law and as the same has been since amended, all of which said act and amendments now appear as Article 5, Chapter 89 of Kentucky Statutes in John D. Carroll's Edition thereof in 1909, adopted by the General Assembly of Kentucky, at the 1914 session thereof." It shall be the duty of the County Clerk to give to the Sheriff of the County or to such other officer as may be appointed to hold said election, a certified copy of the order of the County Court as it appears on the order book, within five days after such order is made, and it shall be the duty of said sheriff or other officer to have such order published in some weekly or daily newspaper published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written hand bills posted in conspicuous places in said city for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of such paper refuses to publish such notice, the printed or written hand bills provided for, shall be sufficient notice.

The sheriff or other officer shall have the advertisements and notices herein provided for, posted as herein required, within seven days after he received the orders of the County Court. It shall be the duty of the canvassing board to certify the result of said election to the County Court, which certificate shall be delivered to the Clerk of the County Court, and a copy thereof delivered to the Clerk of the City, and at the next regular term of said court the County Judge shall cause the same to be spread on the order book, or copy thereof, shall be prima facie evidence of the facts therein contained.

When a majority of the votes cast shall be in favor of said proposition so submitted, and said fact shall be certified as hereinbefore provided by said canvassing board to the County Clerk, the copy of which shall be certified to the City Clerk, and said copy of said certificate shall be spread upon the records of said county as herein provided, and upon the records of said city, at the next regular meeting of the city council, thereupon said City shall cease to be governed by the provisions of this act, but hereafter shall be governed by the provisions Chapter 89 of said Statute, independent of the provisions of this act.

The Committee on Cities of the Fourth Class offered the following amendment to said bill:

Amend line 9, Section 6, page 4, by striking out immediately after "at least" "one hundred" and inserting in lieu thereof, "twenty" so that said line shall read when amended: "tion signed by at least twenty voters and in the following form:"

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said bill at length being dispensed with,

Said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	C. M. Gum	John E. Newman
Harry Avery	E. V. Hall	S. Mazyck O'Brien
Jas. W. Barrall	Elwood Hamilton	A. W. Palmer
J. M. Billeter	W. L. Hampton	Lyman J. Parrigin
Henry C. Blades	V. D. Hammond	William A. Perry
Joseph Boitnott	H. H. Harrington	John A. Polin
Elmer L. Brown	H. H. Hays	Dr. T. J. Poteet
C. W. Burton	D. H. Hillman	W. A. Price
Glover H. Cary	J. J. Huff	J. D. Pumphrey
Ed. F. Cecil	R.B.Hutchcraft,Jr.	Richard Radcliffe
J. G. Coke, Jr.	J. M. Johnson	Stanley F. Reed
Benj. L. Cox	T. R. Jones	S. H. Rogers
James R. Dorman	Griffin Kelly	B. T. Rountree
John W. Douglas	J. C. Lay	W. A. Shawler
John Drescher	Simon B. Lott	L. M. Smith
H. C. Duffy	Dr.J.N.M'Cormack	Adam Spahn
John C. Duffy	Geo. M. McDowell	Ed. D. Stone
William Duffy	John McDyer	Louis Tieman
Odie Duncan	John G. Miller, Jr.	Matt.S.Walton,Jr.
W. N. Flippin	T. T. Mobley	James T. Webb
Vert C. Fraser	J. R. Mount	John F. White
Ed. Frost	Harry J. Myers	
John F. Fryer	Zach. L. Myers	—67

Those who voted in the negative were—

Dr. W. R. Ray	J. D. Wills	—2

Resolved, That the title thereof be as aforesaid.

Mr. J. T. Webb moved that the rules be suspended and that the House take up for consideration, from the orders of the day, a bill entitled:

H. B. 282. An Act giving additional powers to the County Boards of Education, concerning consolidated schools and levying a local tax for their operation and maintenance.

Said motion was agreed to.

Mr. Walton moved that said bill be made a special order for Tuesday, March 3rd, at 12:00 m.

Said motion was agreed to.

Mr. Henry moved that the rules be suspended and that the House take up for consideration, from the orders of the day, H. B. 341.

Said motion was disagreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 114. An Act to amend Section 5, Chapter 113, of an Act entitled "An Act to provide for inspection of schools and school funds for the State and to increase the efficiency of the Department of Education," which became a law March 18, 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 5, Chapter 113, of an Act of the General Assembly of the Commonwealth of Kentucky entitled, "An Act to provide for Inspection of schools and school funds of the State and to increase the efficiency of the Department of Education" be repealed, and that the following be and the same is enacted in lieu thereof, "When he, or his assistants shall find any mismanagement, misconduct, violation of law or wrongful or improper use of any State, county, city or district school fund, or neglect in the performance of duty on the part of any school official, he shall report any and all such violation of the school laws, to the county attorney in the county where such violation occurs, and shall request him to assist in the indictment, prosecution and conviction of the accused, and it shall be their duty so to do after due notice and opportunity for hearing in person or by counsel of the accused person before such official."

In addition, when "He shall find any misappropriation, wrongful use or a failure to properly collect or account for any school fund belonging to the State, county, city or school district, he shall have authority to file suit in a court of competent jurisdiction for the recovery of same, and it shall be the duty of the county attorney to prosecute such actions in said courts if it is impossible to determine the aomunt of such fund which has been wrongfully or improperly used, not collected or not properly accounted for, he shall have authority to employ an expert accountant, who shall have access in any investigation, to all records, books and papers under the direction of the Superintendent of public instruction and to determine the amount due.

The Committee on Education No. 1 offered the following substitute to said bill:

That Section 5, Chapter 113, of an Act of the General Assembly of the Commonwealth of Kentucky entitled, "An Act to provide for inspection of schools and school funds of the

State and to increase the efficiency of the Department of Education" be repealed, and that the following be and the same is enacted in lieu thereof. "When he, or his assistants shall find any mismanagement, misconduct, violation of law or wrongful or improper use of any State, County, City or District school fund, or neglect in the performance of duty on the part of any school official, he shall report any and all such violations of the school laws, to the County Attorney in the county where such violation occurs, and shall request him to assist in the indictment, prosecution and conviction of the accused, and it shall be their duty so to do after due notice and opportunity for hearing in person or by counsel of the accused person before such official."

In addition, when "he shall find any misappropriation, wrongful use or a failure to properly collect or account for any school fund belonging to the State, County, City or School District, he shall have authority to file suit in a court of competent jurisdiction for the recovery of same, and it shall be the duty of the County Attorney to prosecute such actions in said courts if it is impossible to determine the amount of such fund which has been wrongfully or improperly used, not collected or not properly accounted for, he shall have authority to employ an expert accountant, who shall have access in any investigation, to all records, books and papers under the direction of the Superintendent of Public Instruction, and to determine the amount due."

Mr. Hamilton offered the following amendment to said bill, viz.:

Amend by striking out part of line 19 beginning with "if" down to and including the word "due" in line 24.

Mr. Hamilton offered the following amendment to said substitute, viz.:

Amend by striking out, beginning with word "he" in line 22, down to and including "due" in line 25.

Mr. Douglas moved that said bill, substitute and all pending amendments lie on the table.

Said motion was agreed to.

Mr. Judy moved that the rules be suspended and that the House take up for consideration, from the orders of the day, H. B. 459.

Said motion was disagreed to.

The House took up for consideration from the orders of the day, a bill entitled:

H. B. 249. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

Mr. Walton moved to postpone the further consideration of said bill until Friday, February 27th, at 12:00 o'clock m.

Said motion was agreed to.

Mr. Greene moved that when this House adjourn, it be to reconvene at 7:00 o'clock p. m. today.

Said motion was disagreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 139. An Act to require the registration of all factories, machine shops, laundries, work-shops, mercantile, manufacturing or mechanical establishments, hotels, restaurants, telephone exchanges and telegraph offices, with the State Commissioner of Agriculture and Labor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The owner of every factory, machine shop, laundry, workshop, mercantile, maunfacturing and mechanical establishment, hotel, restaurant, telephone exchange and telegraph office shall register such factory, workshop, machine shop, laundry, mercantile, manufacturing and mechanical establishment, hotel, restaurant, telephone exchange and telegraph office with the State Bureau of Agriculture, Labor and Statistics, Frankfort, Ky., giving the name of the owner, his home address, the addresses of the business, the name under which it is carried on, the number of employees, and such other data as the Commissioner of Agriculture, Labor and Statistics may require. Such registration of existing establishments shall be made within six months after this Act takes effect. All such establishments hereafter shall be so registered within thirty days after the commencement of the business. Within thirty days after the change in the location of such establishment the owner thereof shall file with the Commissioner of Agriculture, Labor and Statistics, Frankfort, Ky., the new address of the business, together with such other information as the Commissioner may require.

§ 2. PENALTY.—Any owner of any of the establishments enumerated above in Section 1, who neglects or refuses to register such establishment or such change of location with the Bureau of Agriculture as prescribed in Section 1 of this Act, shall be guilty of a misdemeanor and shall be punished by a fine of not less than Five Dollars or more than Fifty Dollars.

Each period of thirty days that such establishment or change shall be permitted to remain unregistered shall constitute a separate offense.

The Committee on Public Health offered the following amendment to said bill:

Insert after words "telegraph office" in section 1, and before words "shall register, etc.," the words "other than railroad telegraph offices."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. C. Duffy	H. H. Hays
Harry Avery	John C. Duffy	W. E. Henninger
Jas. W. Barrall	Thomas J. Evans	Dr. S. L. Henry
J. M. Billeter	Vert C. Fraser	D. H. Hillman
Henry C. Blades	Ed. Frost	J. J. Huff
Joseph Boitnott	John F. Fryer	R.B.Hutchcraft,Jr.
Glover H. Cary	C. M. Gum	J. M. Johnson
Ed. F. Cecil	E. V. Hall	T. R. Jones
Benj. L. Cox	Elwood Hamilton	John A. Judy
James R. Dorman	W. L. Hampton	John H. Klette
John W. Douglas	V. D. Hammond	William J. Kuh
John Drescher	H. H. Harrington	J. C. Lay

Simon B. Lott	C. B. Nichols	Ed. D. Stone
C. R. Luker	A. W. Palmer	Matt.S.Walton,Jr.
Dr.J.N.M'Cormack	Lilburn Phelps	James T. Webb
Geo. M. McDowell	Dr. T. J. Poteet	John F. White
John G. Miller, Jr.	Richard Radcliffe	N. B. White
T. T. Mobley	Dr. W. R. Ray	J. D. Wills
J. R. Mount	B. T. Rountree	Douglas G. Wood
Harry J. Myers	W. A. Shawler	
John E. Newman	Adam Spahn	—61

Those who voted in the negative were—

William Duffy	W. T. McNally	Stanley F. Reed
Griffin Kelly	Zach. L. Myers	Roy S. Wilson
John McDyer	S. Mazyck O'Brien	—8

Resolved, That the title thereof be as aforesaid.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 278. An Act authorizing the granting of license to certain graduates of medical schools without a State Board examination.

Mr. Poteet moved that said bill and pending amendments be recommitted to the Committee on Public Health, with leave to report upon two days' notice to the House.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 277. An Act authorizing the granting of pharmacists' license to certain graduates of schools of medicine without a State Board examination.

Mr. Poteet moved that said bill be recommitted to the Committee on Public Health, with leave to report upon two days' notice to the House.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted resolutions of the following titles:

S. Res. 23. Joint Resolution urging U. S. Senators James and Bradley to aid in passing the Shackelford Good Roads Bill.

S. Res. 24. Resolution providing for the appointment of a committee from theHouse and Senate to gather information concerning the Eastern State Hospital.

Ordered that said resolutions lie on the Clerk's desk.

Mr. Klette moved that this session be extended until 6 o'clock, p. m.

Mr. Spahn moved that said motion be tabled.

Said motion to table was agreed to.

Mr. Walton moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 26, 1914.

The House was opened with prayer by the Rev. Benj. Andres, of the Southern Presbyterian Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Luker:

H. B. 584. An Act making London a sixth class city instead of a fourth class city, as it now is.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Walton:

H. B. 585. An Act to further regulate the brewery and distillery business in the State of Kentucky, making certain acts misdemeanors and prescribing a penalty for the violation thereof.

To Committee on Alcoholic Liquor Traffic.

By Mr. Ray:

H. B. 586. An Act to amend an Act for the government and regulation of the common schools of the State, being

Section 4426a of the Carroll Edition of the Kentucky Statutes, approved March 24, 1908.

To Committee on Education No. 1.

By Mr. Hamilton:

H. B. 587. An Act to amend an Act entitled "An Act to repeal sub-section 5 of Section 1403, Kentucky Statutes, and substitute therefor, which Act relates to personal property set aside to widow or infants of an intestate," which was approved March 13, 1912.

To Committee on Kentucky Statutes.

By Mr. Hamilton:

H. B. 588. An Act to amend Section 965 of subdivision 1 of Article 2 of Chapter 35 of the Kentucky Statutes, Carroll's 1909 Edition, and the amendment to said act which became a law March 14, 1912, in so far as said section and amendment applies to the holding of circuit courts in the counties of Lee, Estill, Breathitt and Wolfe in the twenty-third Judicial District.

To Committee on Circuit Courts.

By Mr. Hamilton:

H. B. 589. An Act to regulate the sale of methyl alcohol, commonly known as wood alcohol.

To Committee on Public Health.

By Mr. Evans, T. J.:

H. B. 590. An Act to amend Chapter 88 of Kentucky Statutes, relating to iron mines in operation in the State of Kentucky.

To Committee on Mines and Mining.

By Mr. Reed:

H. B. 591. An Act to provide for the organization and management of mutual employes' liability insurance companies.

To Committee on Insurance, Life and Accident.

By Mr. Drescher:

H. B. 592. An Act authorizing certain persons to institute an action against the Commonwealth of Kentucky and providing for the procedure thereof.

To Committee on Judiciary.

By Mr. White:

H. B. 593. An Act amending paragraph eight of Section 606 of Carroll's 1913 Edition of the Kentucky Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Smith:

H. B. 594. An Act to amend an Act entitled, "Revenue and Taxation," which became a law on the 15th day of March, 1906.

To Committee on Revenue and Taxation.

By Mr. Wood:

H. B. 595. An Act to create a commission to inspect charitable, religious and educational institutions, defining the duties of same to be to visit said institutions and investigate the condition and treatment of inmates; said commission to serve without compensation but to be allowed necessary traveling expenses and to be appointed by the Governor with the consent of the Senate.

To Committee on Charitable Institutions.

Mr. Z. L. Myers presented a petition signed by sundry citizens of Scott County urging the submission of a constitutional amendment to the voters, providing for women suffrage in Kentucky.

Said petition was received, read and referred to the Committee on Equal Suffrage.

Mr. Luker presented various petitions signed by sundry citizens of Laurel County urging that the town of London, Kentucky, be transferred back to the sixth class instead of fourth class.

Said petitions were received, read and referred to the Committee on Cities of the Fifth and Sixth Class.

Mr. Frost presented petitions signed by sundry citizens of Muhlenburg County urging the enactment of H. B. 411.

Said petitions were received, read and referred to the Committee on Mines and Mining.

Mr. Huff presented a petition which was referred to the Committee on Propositions and Grievances.

Mr. Klette presented a petition signed by sundry citizens of Kenton County, opposing S. B. 183.

Said petition was received, read and referred to the Committe on Public Health.

Petitions were presented by Messrs. Luker, Durrett, Stott, Greene and Stone, signed by sundry citizens of the counties of Laurel, Greene, Boone, Carroll and Crittenden, petitioning the submission to the voters of Kentucky of an amendment to the State Constitution prohibiting the manufacture and sale of Alcoholic Liquors in the State of Kentucky.

Said petitions were received, read and ordered to be referred to the Committee on Alcoholic Liquor Traffic.

Mr. Perry moved that H. B. 383 be taken from the orders of the day and recommitted to the Committee on Judiciary, with leave to report at any time.

Said motion was agreed to.

Mr. Nichols moved that the House take up for consideration, from the Clerk's desk, a resolution entitled:

S. Res. 24. Resolution providing for the appointment of a committee from the House and Senate to gather information concerning the Eastern State Hospital.

Said motion was agreed to.

The question being taken on the adoption of said resolution, it was decided in the negative.

And so said resolution was disagreed to.

Mr. Judy offered the following resolution:

Be it resolved, That any bill hereafter recommitted shall upon being reported take the same place in the orders of the day that it previously held.

Mr. Phelps moved that said resolution be referred to the Committee on Rules.

Said motion was disagreed to.

Mr. Klette moved that said resolution be tabled.

Said motion was disagreed to.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

And so said resolution was agreed to.

Mr. Harry J. Meyers moved that the vote by which said resolution was agreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Poteet moved that the House take up for consideration, from the Clerk's desk, a resolution entitled:

H. Res. 27. Resolution by the General Assembly, urging the members of Congress from Kentucky to use their in-

fluence toward having National Government accept property of Lincoln Farm Association.

(For said resolution see Journal of Feb. 25th.)

Said motion was agreed to.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

And so said resolution was agreed to.

The Speaker laid before the House the following report of the Auditor of Public Accounts, the said report being a response to a resolution adopted by the House on February 18th:

Hon. Claude B. Terrell, Speaker,
House of Representatives of Kentucky.
Dear Sir:

Responding to Resolution adopted by your Honorable Body, February 18th, I beg to submit the following statement, showing the amount of revenue received by the State in itemized form, which embraces all licenses and taxes from liquor business from July 1st, 1912, to June 30th, 1913:

Tax on rectified and blended goods at 1¼c. per gal.		$ 45,024.64
Tax on breweries		9,275.00
Tax on wholesale liquor dealers		24,075.00
Tax on distilled spirits		152,983.76
The following from licenses issued by County Clerks:		
Tavern license to retail malt liquors	$ 255.00	
Tavern license to retail spirituous and vinous liquors	160.00	
Tavern license to retail spirituous, vinous and malt liquors	21,420.00	

License to retail malt liquors	2,625.00	
License to retail spirituous and vinous liquors	9,050.00	
License to retail spirituous, vinous and malt liquors	317,800.00	
License of distillers of spirituous liqrs	1,000.00	
License for distillers of fruits	300.00	
Merchants' liquor license	3,300.00	
Druggists' liquor license	1,600.00	
Brewery agency of domestic beer or malt liquors	225.00	
Foreign breweries doing business in the State	50.00	
	$357,785.00	
From this amount must be deducted 5% retained by county clerks for collecting	17,889.25	
		339,895.75
Total amount of all licenses and taxes		$571,254.15
The total equalized value of all property assessed for the year 1913 (not including franchises or corporation taxes), charged to the various sheriffs for collection is		$852,171,205
A tax of 7 cents on the one hundred dollars of taxable property on the above amount would be		$596,519.84
Or 6 cents on the one hundred dollars would bring in		$511,302.62

It will be seen from the above statement that in the event of the destruction of the above sources of income it will require an aditional tax of 7 cents on the present rate on the one hundred dollars, to raise the amount of $571,245.15.

It may also be proper to state that the distillers pay to the counties for county taxes an amount almost if not quite equal to the amount paid by them to the State.

Very respectfully submitted,

H. M. BOSWORTH, Auditor.

Mr. Duncan moved that the Auditor's report be printed.

Said motion was agreed to.

The Speaker laid before the House the following communication:

To the Speaker of the House of Representatives, Frankfort, Kentucky:

Dear Sir:

The members of the Prandennial Club of this city, composed of some of its most prominent citizens, heartily endorse the work that is being done by Dr. J. G. Crabbe in the Eastern Kentucky State Normal School. We have the fullest evidence of the character of work that is being done among the students, and can say without the least reserve that it is wholly commendable. The influence of the school is wholly for good, and we believe that the recent investigations will ultimately bring into state-wide prominence the rare qualities of its President as educator and leader, and prove his fitness for the position he occupies. We believe that the appropriations should be as large this year as they have been in former years, and that the greatest encouragement should be given by our legislators to the cause of education in Eastern Kentucky.

Yours truly,

CLARENCE H. KNIGHT,
President.

E. B. BARNES,
Secretary.

The Speaker laid before the House the following communication:

Louisville, Ky., February 23, 1914.

Kentucky Legislature, Frankfort, Kentucky:

The undersigned trustees of the Confederate Home desire to make this full and frank statement to your honorable body regarding the present condition and future outlook of maintenance of the Home.

The Home was organized in 1902. The Confederates and their friends throughout the State of Kentucky purchased and turned over to the State of Kentucky a valuable property at Pewee Valley, Kentucky, the Pewee Valley Inn. The cost of this property had been originally over $100,000, and it was turned over to the State of Kentucky with the agreement that the State should support the Home and that the property, including the Inn and forty acres of land, a short distance therefrom, should pass to the State of Kentucky.

The first act provided a per capita of $125, which was subsequently increased to $175 per capita per annum.

At the time of the organization of the Confederate Home it was not believed that a very large number of the inmates would accept the offer which the State made to the Confederate Veterans. It developed, however, that the number of those who were decrepit and infirm was very large, and something over two hundred and fifty applicants were received promptly and over 400 inmates since—more than half of which have died.

At the time of the organization of the Confederate Home the average age of the Confederate soldier was 64 years. Now it is 75 years, and while the death rate has been greatly accelerated, the expense requisite for the care of the inmates has been greatly increased. There are at this time more than 50 inmates in the infirmary who require constant care, and many of them require to have their beds and clothing changed

as often as if they were infants, some of them five and six times a day. To take care of persons whose average age is seventy-five years, and many of them suffering the infirmities which always accompany old age, requires a very great outlay. A night and day nurse are necessary, and a proportionately large amount of laundry is required, and the constant care of a physician is also necessary. The average number of inmates is 240 per quarter, and the allowance of $175 per man would have been sufficient although there has never been a dollar saved because the amount approximated by the State was barely equal to the amount of expenses. At the time of the organization of the Confederate Home supplies were very much cheaper than they are at present; provisions of every kind, with one or two exceptions, have greatly increased in cost, and to furnish medicine, clothing, food and a home for men whose average age is seventy-five years with $14.75 per month presents a very difficult financial question.

No criticism has ever been made by any State inspector as to the salaries paid to the officers of the Home. The salary of the Superintendent is $1,500 a year, and we are informed that this is less than the amount paid any other superintendent of a State institution. The assistant superintendent is paid $7 per month, making $84 a year, and the surgeon is paid $900 per annum. The treasurer received nothing.

The State of Texas pays its superintendent $1,500 a year, $900 for the assistant and $1,500 for the surgeon. The State of Missouri pays its superintendent $1,500 a year, $900 for the surgeon and $400 for the minister, and $1,000 for the treasurer, and $1,000 for the clerk. The clerk at the Kentucky Confederate Home received $50 per month.

We can say without fear of contradiction that the salaries paid the officers of the Kentucky Confederate Home are less upon an average than those paid in any other Confederate Home in the country, and less than those paid to the of-

ficers of any other institution in the State of Kentucky. One-half of the monthly per capita of $14.75 goes for clothing, payment of employees and coal, which only leaves $7.25 per month for food or 24 cents per day, or 8 cents per meal, which is certainly remarkable considering the cost of living.

Most of the other States made a lump allowance for the maintenance of Confederate Homes. Missouri, with 321 inmates, appropriates $70,000, and in addition the State of Missouri has a large farm, the income of which and the produce therefrom is used for the Home. This would make the per capita for the Missouri Home about $252.

Louisiana has 120 inmates in the Home and the State makes an allowance of $32,136, or a per capita of $267.

The Mississippi Home now has 160 inmates and receives an appropriation of $43,000, or a per capita of $268.

The Texas Home receives an appropriation of $87,152, or a per capita of $263.

The Jailer of Jefferson County is allowed 75 cents per day to feed prisoners.

Some suggestion has been made about the per capita allowance for the Confederate Home as compared with other institutions of the State. As heretofore suggested, conditions exist in the Confederate Home that are unlike those in any other State institution. Men whose average age is 75 years are unable to perform any sort of work. Those in the hospital are not only unable to work but require a large outlay for keeping them in sanitary condition. In other institutions part of the work can be performed by the inmates, but this cannot be true of the Confederate Home.

The operation of the Pension Bill has reduced somewhat the number of inmates.

The Auditor of the State has suggested that it would be proper to get a special enactment of the Legislature providing for the maintenance of the Home. To carry it on with the present per capita, in view of the decreasing number,

simply means that it will of necessity be closed unless remedial legislation is enacted, and unless this is done one of two things must happen, the Confederate Home must be closed, or 100 men now in the Home must be turned out, having no place to which they can go. Being very old men and many of them helpless, if sent out they must return to Poor Houses, and the Confederate Home was organized to prevent men who had won fame and distinction for Kentucky in some of the most hotly contested battles of the world from becoming inmates of such institutions.

We do not believe that the State of Kentucky will send out, practically to starvation, without any possible provision for their care, Kentuckians who at Gettysburg wrote in their blood upon the pitiless rocks the story of southern manhood, or the men who followed John C. Breckinridge among the knightliest of Kentuckians, down Stone River on that fatal day in January, 1863, when out of 5,200 men who made the charge 1,700 were left dead or wounded on the frozen earth, or the men who were with Roger W. Hanson when he died, or the men who rode with John H. Morgan and made the fame of Kentucky horsemen world-wide, or the 2,000 Kentuckians who fought with Forrest, the greatest cavalry battle of the world, Bryce's Cross Roads, or who fought at Shiloh, Baton Rouge, Chicomauga, Murfreesboro and New Hope Church, and who followed Jefferson Davis, the President of the Confederate States, to the end at Washington, Georgia, where they saw the Confederate nation die, and who added by their courage and patriotism much to the fame of Kentucky.

The Board of Trustees have heretofore prepared an act to amend an act to incorporate the Confederate Home, providing that the average quarterly allowance for the past four years should be provided for the Confederate Home for the next four years. The inmates are dying at the rate of something over three each month, and it is the opinion of your Board that at the end of four years the inmates will be so

far decreased by death as to probably require nothing more than the fixed allowance heretofore made by the State, which is $20,000. It is the opinion of the Board that at the end of that time the number of inmates will be so reduced that probably the large building will be sufficient to care for all of them, or the cottages together with the infirmary will be sufficient.

In this crisis we deem it proper as the representatives of the State of Kentucky on this Board to lay these facts fully and frankly before the Legislature and to ask that you enact at once a law making a fixed allowance per quarter rather than a per capita provision. This will add nothing to the expense of the State of Kentucky, for the quarterly allowance is something less than the quarterly allowance which has been paid for the last ten years. As the session of the Legislature must necessarily be brief, we respectfully request that this bill be referred to a committee to investigate, if need be, the facts which we have here presented, and to take such action which in your judgment may be deemed best under the circumstances.

Very respectfully,

BENNETT H. YOUNG,
JOHN H. LEATHERS,
A. M. SEA,
C. F. JARRETT,
W. N. BUMPUS,
C. L. DAUGHTRY,
W. A. MILTON,
JAMES KOGER.

Mr. Hutchcraft moved that said communication be referred to the Committee on Confederate Homes.

Said motion was agreed to.

A message was received from the Senate, announcing that they had passed a bill which originated in that body, of the following title:

S. B. 141. An Act fixing the jurisdiction of County Judges and Justices of the Peace in criminal cases.

Ordered that said bill be referred to the Committee on Judiciary.

The Committees to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 398. An Act to amend Section 181 of the Constitution of the Commonwealth of Kentucky.

Without expression of opinion.

By Mr. Pumphrey, of the Committee on Charitable Institutions:

An Act to amend an Act approved March 9, 1906, known as Chapter 17 of the Acts of 1906, entitled "An Act creating and establishing a Board of Commissioners to be known as the Kentucky State Board of Control of Charitable Institutions, and prescribing its duties and powers."

By Mr. Boitnott, of the Committee on Confederate Homes:

H. B. 492. An Act to repeal and re-enact an Act entitled "An Act granting pensions to indigent and disabled Confederate soldiers," which act became a law March 11, 1912.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 348. An Act to repeal "An Act for the protection of game and fish," March 12, 1912.

With the expression of opinion that same ought not to pass.

Mr. Greene moved that said bill be given a reading, the report of the committee to the contrary notwithstanding.

The yeas and nays being required thereon, on said motion, by Messrs. Polin and Greene, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	J. B. Harvey	Lilburn Phelps
Harry Avery	W. E. Henninger	John A. Polin
Wallace Bailey	Dr. S. L. Henry	Dr. T. J. Poteet
Jas. W. Barrall	D. H. Hillman	Richard Radcliffe
J. M. Billeter	J. J. Huff	Dr. W. R. Ray
Joseph Boitnott	J. M. Johnson	S. H. Rogers
A. T. Bryson	T. R. Jones	B. T. Rountree
Thomas J. Evans	Griffin Kelly	Ed. D. Stone
W. N. Flippin	John H. Klette	W. T. Stott
Vert C. Fraser	J. C. Lay	Louis Tieman
John F. Fryer	Simon B. Lott	N. C. Tilford
Frank C. Greene	C. R. Luker	James T. Webb
C. M. Gum	J. R. Mount	N. B. White
E. V. Hall	A. J. Oliver	J. D. Wills
H. H. Harrington	Lyman J. Parrigin	Douglas G. Wood

—45

Those voting in the negative were—

Henry C. Blades	Ed. F. Cecil	John W. Douglas
Elmer L. Brown	J. G. Coke, Jr.	John Drescher
C. W. Burton	Benj. L. Cox	H. C. Duffy
Glover H. Cary	James R. Dorman	John C. Duffy

William Duffy	William J. Kuh	William A. Perry
G. P. Durrett	Dr.J.N.M'Cormack	W. A. Price
M. J. Farris, Jr.	Geo. M. McDowell	Stanley F. Reed
Ed. Frost	W. T. McNally	S. M. Saufley
Elwood Hamilton	John G. Miller, Jr.	W. A. Shawler
W. L. Hampton	Harry J. Myers	L. M. Smith
V. D. Hammond	Zach. L. Myers	Adam Spahn
H. H. Hays	John E. Newman	Matt.S.Walton,Jr.
R.B.Hutchcraft,Jr.	C. B. Nichols	John F. White
John A. Judy	A. W. Palmer	—41

And so said bill was ordered to a first reading and placed on the calendar.

Mr. Pumphrey announced that he was paired with Mr. O'Brien and that if Mr. O'Brien was present would vote "no" and he (Pumphrey) would vote "aye."

Mr. Klette moved that the vote by which said bill was ordered to a first reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 36. An Act for the protection of game and to regulate the running of dogs at large.

With the expression of opinion that same ought not to pass.

Mr. Kelly moved that said bill be ordered to a reading, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

Mr. Hamilton moved that the orders of the day be postponed until the call of the committees for reports is completed.

Said motion was agreed to.

By Mr. Cox, of the Committee on Fish and Game:

H. B. 84. An Act for the better protection of game and fish.

By Mr. Webb, J. T., of the Committee on Judiciary:

H. B. 555. An Act requiring bonding companies to give thirty days' notice before cancelling a guaranty or indemnity bond.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 462. An Act to amend an Act passed by the General Assembly of the State of Kentucky during the session of 1910, being Chapter 120 of said Acts, and printed in the Acts of the Legislature of 1910, at page 341 and 343, inclusive, the same being entitled "An Act to amend Section 1997, Subdivision 1, of Article 15, Chapter 46, of Kentucky Statutes, Carroll's Edition of 1909, entitled "Executions," so as to make it plain what exemptions the housekeeper with a family is entitled to.

Without expression of opinion.

By Mr. Hays, of the Committee on Propositions and Grievances:

H. B. 308. An Act to prohibit women over eighteen years of age from wearing in public, skirts of less width than thirty-three inches and fixing the penalty therefor.

Without expression of opinion.

By Mr. Judy, of the Committee on Suffrage and Elections.

H. B. 414. An Act to regulate elections, to provide for the publication of campaign contributions, to control and regulate the contribution and expenditure of campaign funds, and to control and regulate contributions made for campaign purposes to further the election of any party organization or person, and fixing penalties therefor.

Without expression of opinion.

By same:

H. B. 426. An Act to amend and re-enact sub-sections 2 and 3 of Section 1596a of the Kentucky Statutes and being parts of Article 15 of Chapter 41 of the Kentucky Statutes, entitled "Elections Commissioners—Contested Elections."

Said bills were severally read the first time at length and ordered to be placed on the calendar.

Mr. Polin, of the Committee on Criminal Law, to which the same had been referred, reported a bill of the following title, with the expression of opinion that same ought not to pass, viz.:

H. B. 152. An Act to regulate the sale of leaf tobacco in this Commonwealth and providing penalties for the violation thereof.

The question being taken on ordering sale bill to a reading, the opinion of the committee to the contrary notwithstanding,

It was decided in the negative.

And so the bill was rejected.

The House took up for consideration from the calendar, bills of the following titles, viz.:

H. B. 537. An Act to amend Section 1333 of Chapter 36 of the Kentucky Statutes, Carroll's 1909 Edition.

With amendment thereto by way of substitute therefor.

H. B. 325. An Act for the protection of persons engaged in selling hay, grain, feed or provender for consumption by live stock.

With amendment thereto.

S. B. 104. An Act to amend Chapter 81, Article 1, entitled "Liquors, Intoxicating," of Kentucky Statutes, Carroll's Edition 1909, by repealing Sections 2554 and 2557, and enacting other provisions in lieu thereof.

H. B. 582. An Act relating to appropriations to educational, charitable and other institutions of the Commonwealth of Kentucky.

S. B. 84. An Act to amend and re-enact Sections 579 and 584, Kentucky Statutes, Carroll's Edition 1909, so that the banking laws of Kentucky shall conform to the requirements of the Federal Reserve Act.

With amendment thereto by way of substitute therefor.

H. B. 479. An Act to furnish protection and means of escape from fire in buildings.

With amendment thereto by way of substitute therefor.

H. B. 555. An Act to amend Section 702, of the Kentucky Statutes, so as to further regulate assessment or co-operative fire insurance companies.

H. B. 543. An Act to amend Section 170 of the Constitution of the Commonwealth of Kentucky.

H. B. 528. An Act to amend Section 656, Chapter 32, Article IV, Sub-division II, of the Kentucky Statutes, relating to life insurance.

With amendment thereto by way of substitute therefor.

H. B. 403. An Act to amend Sec. 3858 of Kentucky Statutes of 1909, relating to the making and recording of settlements of personal representatives and fixing the fees of the officers making and recording same.

S. B. 164. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

H. B. 297. An Act to repeal Section 1379 of Kentucky Statutes of 1909, relating to the working of prisoners on public work and roads and to substitute therefor.

H. B. 441. An Act to repeal an Act entitled "An Act to amend the charter of the Twelve Mile Turnpike Company," approved March 1, 1854, which was approved January 22, 1867, and is Chapter 1069 of the Session Acts of 1867, and amended March 25th, 1898, and is Chapter 62 of the Session Acts of 1898.

H. B. 559. An Act declaring certain public roads, public works of the State of Kentucky.

H. B. 199. An Act relating to the sale and use of tobacco and cigarettes and providing punishment for violations thereof.

H. B. 351. An Act authorizing the Commissioners of the Sinking Fund of Kentucky to sell and convey the house and ground known as the Governor's Old Mansion, and appropriating money to complete and furnish the Governor's New Mansion.

With amendment thereto by way of substitute therefor.

S. B. 81. An Act to provide the time and manner of electing United States Senators.

H. B. 524. An Act to provide for the election of alumni members of the Board of Trustees of the State University, Lexington, Kentucky, and for the appointment of such alumni members on the Executive Committee of the University.

With amendment thereto.

H. B. 498. An Act making hazing by the students of the universities, colleges, normal schools and high schools in Kentucky, unlawful and providing punishment therefor.

H. B. 433. An Act to protect drivers of stock on the public highways of this Commonwealth where the stock law is in force.

S. B. 145. An Act amending Section 965, Kentucky Statutes, Carroll's Edition 1909, changing the time of holding

Circuit Court in the 29th Judicial District as to Casey County.

H. B. 47. An Act to change the Court Calendar of the 13th Judicial District.

With an amendment thereto.

H. B. 444. An Act to amend Sec. 699, Kentucky Statutes, relating to fire insurance in unauthorized companies.

With an amendment thereto.

H. B. 556. An Act to regulate the weight of a bushel of corn in the shuck.

Ordered that said bills be read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, they were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

Mr. Kelly moved that the rules be suspended; that he be permitted to offer the following resolution:

Whereas, there is now pending before this body, a resolution asking for the submission of an amendment to the voters of Kentucky for the prohibition of the Liquor Traffic, and,

Whereas, there are a large number of the friends of this measure present, in its interest, therefore, be it

Resolved, That the rules be suspended and at 2:30 o'clock this afternoon this House go into the Committee of the Whole for twenty minutes to hear from Representatives of the Temperance Organization of the State, concerning the measure.

Mr. H. J. Meyers indicated the hour of adjournment.

And then the House recessed until 2.00 o'clock p. m.

AFTERNOON SESSION.

At 2:00 o'clock the House reconvened.

The House took up for consideration, the unfinished business from the morning session, viz.: Resolution offered by Mr. Kelly.

The question being taken on the suspension of the rules for the adoption of said resolution was decided in the affirmative.

And so said rules were suspended.

The question being taken on the adoption of said resolution was decided in the affirmative.

And said resolution was adopted.

In accordance with said resolution, the House does now resolve itself into a Committee of the Whole House for the purpose of hearing addresses from representatives of the Temperance Organization of the State of Kentucky.

The Speaker of the House designated Mr. McCormack as Chairman of the Committee of the Whole and vacated the Chair.

The House was then convened in the Committee of the Whole.

Mr. McCormack presiding as Chairman.

After a time the Speaker resumed the Chair.

Mr. McCormack, of the Committee of the Whole House, reported that said Committee had heard the representatives of the Temperance Organization and that said Committee asked to be discharged.

Mr. McCormack filed with the Clerk petitions signed by sundry citizens of various counties of the State of Kentucky, petitioning this Honorable Body to submit to the voters of Kentucky an amendment to the State Constitution prohibiting the manufacture and sale of alcoholic liquors in the State of Kentucky.

Mr. Ray moved that the House do now resolve into a Committee of the Whole House for the purpose of hearing General Bennett H. Young discuss the subject of Confederate Home.

Said motion was agreed to.

The Speaker of the House designated Mr. Saufley as Chairman of the Committee of the Whole and vacated the Chair.

The House was then convened into the Committee of the Whole, Mr. Saufley presiding as Chairman.

After a time Mr. Saufley, of the Committee of the Whole House, reported that the committee had heard General Bennett H. Young on the subject of Confederate Home and said committee asked to be discharged.

Mr. Speaker Terrell resumed the Chair.

The House took up for consideration from the orders of the day, a bill entitled:

H. B. 233. An Act making it unlawful for certain officers to receive service at free or reduced rates from public service corporations, or for public service corporations to give service at free or reduced rates to certain public officers, and prescribing the punishment for the breach thereof, together with the jurisdiction for the trial of offenses committed thereunder.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any railroad, steam boat or other common carrier, or any telephone, electric light, gas, water, or other public service corporation, to give free service, or service at reduced rates not common to the public, to any state, district, city, town or county official, or commissioner, or member of the General Assembly, or judge, or to any trustee or other member of governing bodies of institutions receiving appropriations from the Commonwealth of Kentucky, for the personal use of any such officer or person, or for the use of any person if secured by the influence of said officer or person.

§ 2. It shall be unlawful for any State, district, city, town or county officer, or commissioner, or member of the General Assembly, or judge, or any trustee or other member of governing bodies of institutions receiving appropriations from the Commonwealth of Kentucky, to accept or use on his own behalf, or for and on behalf of any other person, free service, or service at reduced rates not common to the public, from any railroad, steam boat, or other common carrier, or any telephone, electric light, gas, water or other public service corporation.

§ 3. Any person or company, upon conviction of the offense in section 1 herein, which may be had upon indictment in the circuit court of any county in which such free or reduced service is issued, delivered or used, shall be punished by a fine of not less than five hundred nor more than two thousand dollars.

§ 4. Upon conviction of the offense named in the second section hereof, the officer or commissioner so convicted shall be punished by a fine of not less than one hundred nor more than one thousand dollars, to be inflicted upon indictment in the circuit court of any county in which such free or reduced service is issued, delivered or used, and upon a judgment of conviction the office which the convicted person holds shall be declared vacant, and it shall be so written in the judgment of the court.

The Committee on Public Utilities offered the following amendment to said bill by way of substitute therefor:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any express, telegraph, telephone, electric light, gas, water, or other public service corporation, to give free service, or service at reduced rates not common to the public, to any State, district, city, town, or county officer, or commissioner, or member of the General Assembly, or judge, or to any trustee or other member of governing bodies of institutions receiving appropriations from the Commonwealth of Kentucky, for the personal use of any such officer or member of his family or for the use of any person if secured at the instance and request of said officer or person.

§ 2. It shall be unlawful for any State, district, city, town or county officer, or commissioner, or member of the General Assembly, or judge, or any trustee or other member of governing bodies of institutions receiving appropriations

from the Commonwealth of Kentucky, to accept or use on his own behalf, or for and on behalf of his family, with his knowledge or consent, or of any other person at his instance or request, free service, or service at reduced rates not common to the public, from any express, telepraph, telephone, electric light, gas, water or other public service corporation.

§ 3. Any person or company, upon conviction of the offense in Section 1 herein, which may be had upon indictment in the circuit court of any county in which such free or reduced service is issued, delivered or used, shall be punished by a fine of not less than five hundred nor more than two thousand dollars.

§ 4. Upon conviction of the offense named in the second section hereof, the officer, member, judge or trustee or commissioner so convicted shall be punished by a fine of not less than one hundred nor more than one thousand dollars, to be inflicted upon indictment in the circuit court of any county in which such free or reduced service is issued, delivered or used, and upon a judgment of conviction the office which the convicted person holds shall be declared vacant, and it shall be so written in the judgment of the court.

Ordered that said bill be read the third time.

The constitutional provision as to the reading of said bill at length being dispensed with,

Said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	Frank C. Greene	John G. Miller, Jr.
Harry Avery	C. M. Gum	T. T. Mobley
Wallace Bailey	Elwood Hamilton	J. R. Mount
Jas. W. Barrall	W. L. Hampton	Zach. L. Myers
J. M. Billeter	V. D. Hammond	John E. Newman
Henry C. Blades	H. H. Harrington	C. B. Nichols
Joseph Boitnott	J. B. Harvey	A. W. Palmer
Elmer L. Brown	H. H. Hays	William A. Perry
A. T. Bryson	W. E. Henninger	Dr. T. J. Poteet
C. W. Burton	Dr. S. L. Henry	Richard Radcliffe
Glover H. Cary	D. H. Hillman	Dr. W. R. Ray
Ed. F. Cecil	J. J. Huff	S. M. Saufley
J. G. Coke, Jr.	R.B.Hutchcraft,Jr.	Adam Spahn
Benj. L. Cox	J. M. Johnson	Ed. D. Stone
James R. Dorman	T. R. Jones	W. T. Stott
John W. Douglas	John A. Judy	Louis Tieman
John Drescher	John H. Klette	N. C. Tilford
William Duffy	William J. Kuh	Matt.S.Walton.Jr.
Odie Duncan	J. C. Lay	James T. Webb
G. P. Durrett	Simon B. Lott	W. M. Webb
W. N. Flippin	C. R. Luker	John F. White
Vert C. Fraser	Dr.J.N.M'Cormack	N. B. White
Ed. Frost	Geo. M. McDowell	J. D. Wills
John F. Fryer	W. T. McNally	—71

There voted in the negative—

Lilburn Phelps —1

Resolved, That the title thereof be as aforesaid.

Mr. Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a resolution of the following title:

H. Res. 19. Resolution for the benefit of M. C. Tilford and Yeaman Watkins.

Mr. Hammond, of the Committee on Education No. 1, gave notice to the House that said committee would report for passage tomorrow at 4:00 o'clock p. m., a bill entitled:

H. B. 1. An Act empowering Boards of Trustees of all common graded schools created by a vote of the people, operating in this State, to levy and collect an annual tax for the maintenance, operation and support of the graded schools in their respective districts.

The House took up for consideration from the orders of the day, a bill entitled:

H. B. 340. An Act to prohibit waiters and servants from accepting tips in hotels and restaurants, barber shops, Pullman cars and other places and prohibiting persons from offering or giving tips and prescribing punishment thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any waiter, servant or attache of any hotel, inn, or public eating house, barber shops, parlor and Pullman cars, Pullman sleeping cars, dining cars, public parks and cafes, to accept any money or other thing of value as a tip; or for any customer, or boarder to give or offer to any servant or attache any money or other thing of value as a tip.

§ 2. That for any violation of this act the person or

persons so offending shall, upon conviction, be fined in the sum of not less than ten nor more than twenty dollars for each offense.

§ 3. All hotels, restaurants, barber shops, Pullman sleeping and parlor cars, dining cars, public parks and cafes shall have conspicuously displayed not less than two placards, to be not less than sixteen inches in length and eleven inches in height, printed in bold, black letters not less than one and one-quarter inches square, the words, "Tipping of Employes Forbidden under Penalty of from Ten to Twenty Dollars Fine under State Laws," and the act pertaining to same printed underneath thereof.

§ 4. Whereas, the members of the General Assembly are now paying out sums of money in the way of tips, an emergency is declared to exist, and this act shall take effect upon its approval by the Governor.

Mr. Hamilton offered the following amendment to said bill:

Amend Sec. 3, line 3, by striking out the word "sixteen" and insert in lieu thereof the word "six."

And in line 4, strike out the word "eleven" and insert in lieu thereof the word "six."

Said amendment was agreed to.

Mr. Walton offered the following amendment to said bill:

Amend by striking out Section 4.

Said amendment was agreed to.

Mr. W. M. Duffy moved that further consideration of said bill be postponed indefinitely.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Harry Avery	H. H. Harrington	A. W. Palmer
Jas. W. Barrall	J. B. Harvey	John A. Polin
J. M. Billeter	H. H. Hays	W. A. Price
Henry C. Blades	W. E. Henninger	Richard Radcliffe
Joseph Boitnott	D. H. Hillman	Dr. W. R. Ray
Glover H. Cary	J. J. Huff	S. H. Rogers
Ed. F. Cecil	J. M. Johnson	W. A. Shawler
John Drescher	T. R. Jones	Adam Spahn
H. C. Duffy	John A. Judy	Ed. D. Stone
Odie Duncan	Griffin Kelly	W. T. Stott
Thomas J. Evans	John H. Klette	N. C. Tilford
M. J. Farris, Jr.	J. C. Lay	Matt.S.Walton,Jr.
W. N. Flippin	Simon B. Lott	James T. Webb
Vert C. Fraser	Geo. M. McDowell	W. M. Webb
John F. Fryer	T. T. Mobley	J. D. Wills
C. M. Gum	J. R. Mount	Douglas G. Wood
E. V. Hall	Zach. L. Myers	
W. L. Hampton	C. B. Nichols	—52

Those voting in the negative were—

Peter Ampler	Elwood Hamilton	John E. Newman
Elmer L. Brown	V. D. Hammond	William A. Perry
C. W. Burton	Dr. S. L. Henry	S. M. Saufley
J. G. Coke, Jr.	R.B.Hutchcraft,Jr.	Louis Tieman
Benj. L. Cox	William J. Kuh	John F. White
John W. Douglas	W. T. McNally	N. B. White
William Duffy	John G. Miller, Jr.	
Frank C. Greene	Harry J. Myers	—22

Resolved, That the title thereof be as aforesaid.

Mr. Duncan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day, a bill entitled:

H. B. 322. An Act to fix the amount of license tax required of retail liquor dealers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Before engaging in the business of a retail dealer in spirituous, vinous and malt liquors the person or persons desiring so to do shall procure a license and pay a tax thereon of five hundred ($500.00) dollars.

§ 2. All license relating to retail dealers in vinous and malt liquors shall be procured and issued as provided in Article 12 of Chapter 108, Carroll's Kentucky Statutes.

§ 3. The amount of license tax to engage in the business of a retail dealer in malt liquors exclusively is hereby fixed at two hundred and fifty ($250.00) dollars per annum, and the amount of such license to engage in the business of a retail dealer in spirituous and vinous liquors exclusively is hereby fixed at two hundred and fifty ($250.00) dollars.

§ 4. So much of Section 4224 of Carroll's Kentucky Statutes as is in conflict herewith, and all acts and parts of acts inconsistent with this act, are hereby repealed.

The Committee on Revenue and Taxation offered the following amendment to said bill:

Amend by striking out in Section 1 the words "five hundred dollars" and inserting in lieu thereof "three hundred dollars."

Said amendment was agreed to.

Mr. Mount offered the following amendment to said bill:

Amend by adding at the end of Sec. 3 the following:

That the increase of all taxes or moneys derived from this Act or so much as may be necessary shall be applied to the payment of Confederate pensions.

Said amendment was agreed to.

Mr. Brown offered the following amendment to said bill:

Amend line 3, Section 1, by substituting in place of "the five hundred dollars" the word "twenty-five dollars;" also Section 3, line 2 and 3, by striking out the word "two hundred and fifty dollars" and insert in lieu thereof the word "twenty-five dollars," and also line 5 and 6 of said section, by striking out the word "two hundred and fifty dollars" and insert in lieu thereof the word "fifty dollars."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said

bill, in accordance with the provision of the Constitution, were as follows:

Those voting in the affirmative were—

Henry C. Blades	V. D. Hammond	T. T. Mobley
Joseph Boitnott	H. H. Harrington	J. R. Mount
Glover H. Cary	J. B. Harvey	Zach. L. Myers
Ed. F. Cecil	H. H. Hays	C. B. Nichols
Benj. L. Cox	W. E. Henninger	A. W. Palmer
James R. Dorman	Dr. S. L. Henry	Richard Radcliffe
John W. Douglas	D. H. Hillman	Dr. W. R. Ray
John Drescher	R.B.Hutchcraft,Jr.	S. M. Saufley
H. C. Duffy	J. M. Johnson	L. M. Smith
G. P. Durrett	T. R. Jones	Ed. D. Stone
Thomas J. Evans	John A. Judy	W. T. Stott
M. J. Farris, Jr.	Griffin Kelly	N. C. Tilford
Vert C. Fraser	Simon B. Lott	James T. Webb
Frank C. Greene	Dr.J.N.M'Cormack	John F. White
E. V. Hall	Geo. M. McDowell	J. D. Wills
Elwood Hamilton	John McDyer	
W. L. Hampton	John G. Miller, Jr.	—49

Those voting in the negative were—

Peter Ampler	C. M. Gum	W. A. Price
Elmer L. Brown	John H. Klette	Adam Spahn
A. T. Bryson	William J. Kuh	Louis Tieman
C. W. Burton	C. R. Luker	Matt.S.Walton,Jr.
William Duffy	W. T. McNally	W. M. Webb
W. N. Flippin	Harry J. Myers	N. B. White
Ed. Frost	William A. Perry	
John F. Fryer	John A. Polin	—22

Resolved, That the title thereof be as aforesaid.

Mr. Mount moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 344. An Act to regulate the cost in proceedings to exonerate property wrongfully or erroneously assessed.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When any person, firm or corporation shall seek, by motion or proceeding in the County Court, to be exonerated from the payment of taxes wrongfully or erroneously assessed against such person, firm or corporation, and shall be wholly successful in such motion or proceeding, then none of the cost thereof shall be taxed against such person, firm or corporation.

§ 2. If such motion or proceeding is successful only in part, then the court shall make such order as to cost as, in the exercise of a sound legal discretion, he shall deem just.

The Committee on Revenue and Taxation offered the following amendment to said bill:

Amend by adding Section 3, "No costs shall ever be taxed or collected from either the Commonwealth or any county under the provisions of this act."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays taken on the passage of said bill, in accordance with the provisions of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	E. V. Hall	Zach. L. Myers
Harry Avery	W. L. Hampton	John E. Newman
Jas. W. Barrall	V. D. Hammond	C. B. Nichols
J. M. Billeter	H. H. Harrington	A. W. Palmer
Joseph Boitnott	J. B. Harvey	Lilburn Phelps
Elmer L. Brown	H. H. Hays	William A. Perry
A. T. Bryson	Dr. S. L. Henry	John A. Polin
C. W. Burton	D. H. Hillman	Dr. T. J. Poteet
Ed. F. Cecil	J. J. Huff	Richard Radcliffe
J. G. Coke, Jr.	J. M. Johnson	Dr. W. R. Ray
Benj. L. Cox	T. R. Jones	B. T. Rountree
James R. Dorman	Griffin Kelly	S. M. Saufley
John Drescher	John H. Klette	W. A. Shawler
H. C. Duffy	William J. Kuh	L. M. Smith
William Duffy	J. C. Lay	Adam Spahn
G. P. Durrett	Simon B. Lott	Ed. D. Stone
Thomas J. Evans	C. R. Luker	W. T. Stott
M. J. Farris, Jr.	Dr.J.N.M'Cormack	Louis Tieman
W. N. Flippin	Geo. M. McDowell	James T. Webb
Vert C. Fraser	John McDyer	W. M. Webb
Ed. Frost	W. T. McNally	John F. White
John F. Fryer	T. T. Mobley	N. B. White
Frank C. Greene	J. R. Mount	J. D. Wills
C. M. Gum	Harry J. Myers	Douglas G. Wood

—72

Resolved, That the title thereof be as aforesaid.

The House took up for consideration, from the orders of the day, a bill entitled:

H. B. 106. An Act pertaining to the sale of dangerous and deadly weapons to intoxicated persons, and persons in

the habit of becoming intoxicated and prescribing penalties for the violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whosoever sells, barters, gives, or delivers any pistol, dirk, bowieknife, dagger, or any other dangerous or deadly weapon, to any person at the time in a state of intoxication, knowing him or her to be in a state of intoxication, or to any person who is in the habit of becoming intoxicated, shall upon conviction be fined in any sum not exceeding one thousand dollars, or imprisoned in the county jail not less than thirty (30) days, nor more than six (6) months, or both such fine or imprisonment in the discretion of the court or jury.

Mr. Luker offered the following amendment to said bill:

Amend by striking out all the words from the word "Intoxication" in line 3, to the word "shall" in line 4.

Said amendment was disagreed to.

Mr. Stone offered the following amendment to said bill:

Amend by adding Section 2: It shall be unlawful for any person to sell or give to any child under 15 years of age any pistol or deadly weapon.

Said amendment was agreed to.

Mr. Hall offered the following amendment to said bill:

Amend H. B. 106, by striking out the word "who" in line 4 and inserting in lieu thereof "who known to him."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	E. V. Hall	John E. Newman
Harry Avery	Elwood Hamilton	C. B. Nichols
Jas. W. Barrall	W. L. Hampton	A. W. Palmer
J. M. Billeter	V. D. Hammond	Lyman J. Parrigin
Henry C. Blades	H. H. Harrington	William A. Perry
Joseph Boitnott	H. H. Hays	John A. Polin
Elmer L. Brown	W. E. Henninger	Dr. T. J. Poteet
A. T. Bryson	Dr. S. L. Henry	Richard Radcliffe
Glover H. Cary	D. H. Hillman	Dr. W. R. Ray
Ed. F. Cecil	J. J. Huff	Stanley F. Reed
J. G. Coke, Jr.	R.B.Hutchcraft,Jr.	S. H. Rogers
Benj. L. Cox	J. M. Johnson	B. T. Rountree
James R. Dorman	T. R. Jones	S. M. Saufley
John W. Douglas	Griffin Kelly	L. M. Smith
John Drescher	John H. Klette	Adam Spahn
H. C. Duffy	William J. Kuh	Ed. D. Stone
William Duffy	Simon B. Lott	W. T. Stott
Odie Duncan	C. R. Luker	Louis Tieman
G. P. Durrett	Dr.J.N.M'Cormack	Matt.S.Walton,Jr.
M. J. Farris, Jr.	W. T. McNally	James T. Webb
Vert C. Fraser	John G. Miller, Jr.	W. M. Webb
Ed. Frost	T. T. Mobley	John F. White
John F. Fryer	J. R. Mount	N. B. White
Frank C. Greene	Harry J. Myers	Douglas G. Wood
C. M. Gum	Zach L. Myers	J. D. Wills —75

Those voting in the negative were—

Thomas J. Evans W. N. Flippin J. B. Harvey
John A. Judy —4

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

FRIDAY, FEBRUARY 27, 1914.

The House was opened with prayer by the Rev. Benj. Andres, of the Southern Presbyterian Church of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

The hour of 10:00 o'clock having arrived, the House took up for consideration the special order for said hour, viz.:

H. B. 132. An Act to amend an Act entitled "An Act defining Public Roads, providing for their establishment, regulating and construction and use and maintenance, creating the office of Road Engineer and prescribing the duties thereof."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the words "shall," being the fifth word in the fifth line and the first word of the twenty-fourth line of Section 48, and the second word of the third line in Section 50,

be stricken therefrom and in lieu thereof the words "may." be inserted, so that said sections as amended shall read:

Section 48. There is hereby created in the several counties of the State of Kentucky the office of County Road Engineer. The County Judge of each of the counties of this State by and with the consent of the Fiscal Court, may, within thirty days after this law becomes operative, on or before the first day in October, nineteen hundred and twelve, and every two years thereafter, appoint a County Road Engineer, who shall be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives. Nothing in this section shall prevent the present county road supervisor from serving the term for which he was elected or appointed. Such County Road Engineer, except the first, as appointed shall serve for a period of two years from and after the said first day of October and until his successor is appointed and qualified. The term of the first one appointed, regardless of when the appointment was made, shall expire October 1, 1914. Vacancies in the office of County Road Engineer may be filled by appointment for the unexpired term by the County Judge of the County, by and with the consent and approval of the Fiscal Court. The County Road Engineer shall receive compensation either by salary or per diem as may be fixed by order of the Fiscal Court of the County at a reasonable sum. Should the Fiscal Court refuse to fix a salary for the Road Engineer, or if same be considered inadequate, he shall have the right to appeal to the Circuit Court of the Counties. The county surveyor of the county, elected at the last preceding general election, may receive such appointment provided he be competent as provided by this chapter and for such services he shall receive the compensation fixed by the Fiscal Court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as county surveyor.

It shall be the duty of the clerk to give written notice to the appointees provided in this chapter, of their appointment as soon thereafter as practicable, and each person appointed shall within ten days after having been notified of such appointment, qualify by giving such bond as the court may direct for the faithful performance of his duties, and shall also take the oath to well and truly perform the duties thereof. The County Road Engineer shall have an office at the county seat of the county. The County Road Engineer may be removed at any time by the County Judge of the county upon his own volition for incompetency, malfeasance or misfeasance in office upon written charges after a hearing of which ten days' notice shall have been given by serving a copy of such charges upon such County Road Engineer.

Such hearing shall be heard at the court house, in the county seat. If upon such hearing it appears that such charges are sustained the County Judge of the county shall remove such County Road Engineer and forthwith serve notice thereof by mail on the County Road Engineer. Such notice shall state specifically the grounds for such removal. The record of the proceedings upon such hearing shall be filed in the office of the county clerk.

Section 50. The County Judge of the county by and with the consent and approval of the Fiscal Court, thereof, may within ten days after such removal appoint a County Road Engineer to fill the vacancy caused by such removal. The person so appointed shall hold office for the unexpired term or until a judgment or a final order of a court of competent jurisdiction determining that the original County Road Engineer was wrongfully and illegally removed and directing his reinstatement be rendered.

Mr. S. H. Rogers moved that he be given unanimous consent to withdraw from consideration by the House the last substitute offered by him to said bill.

Said motion was agreed to.

The Committee on Public Roads and Highways offered the following amendment to said bill, by way of substitute therefor:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 48 of an Act entitled, "An Act defining public roads, providing for their establishment, regulation and construction, use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof," which became a law upon the approval of the Governor, March 18, 1912, be amended by striking therefrom the word "shall" in the fifth line thereof as in the printed Acts of 1912, and inserting in lieu thereof the word "may;" and striking from said section the following:

"The County Road Engineer may be removed at any time by the County Judge of the county upon his own volition for incompetency, malfeasance in office upon written charges, after a hearing of which ten days' notice shall be given by serving a copy of such charges upon such County Road Engineer. Such hearing shall be heard at the court house, in the county seat. If upon such hearing it appears that such charges are sustained, the County Judge of the county shall remove such County Road Engineer and forthwith serve notice thereof by mail on the County Road Engineer. Such notice shall state specifically the grounds for such removal. The record of the proceedings upon such hearing shall be filed in the office of the County Clerk," and inserting in lieu of the following:

"The Fiscal Court may at its pleasure remove any County Road Engineer."

So that said Section, as amended, shall be and the same is re-enacted to read as follows:

"Section 48. There is hereby created in the several counties of the State of Kentucky the office of County Road Engineer. The County Judge of each of the counties of this

State, by and with the consent of the Fiscal Court may, within thirty days after this law becomes operative, on or before the first day of October, nineteen hundred and twelve, and every two years thereafter, appoint a County Road Engineer, who shall be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years, and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives. Nothing in this Section shall prevent the present county supervisor from serving the term for which he was elected or appointed. Such County Road Engineer, except the first, as appointed, shall serve for a period of two years from and after the said first day of October, and until his successor is appointed and qualified. The term of the first one appointed, regardless of when appointment was made, shall expire October 1, 1914. Vacancies in the office of County Road Engineer shall be filled by appointment for the unexpired term by the County Judge of the county, by and with the consent and approval of the Fiscal Court. The County Road Engineer shall receive compensation either by salary or per diem as may be fixed by order of the Fiscal Court of the county at a reasonable sum. Should the Fiscal Court refuse to fix a salary for the Road Engineer, or if same be considered inadequate, he shall have the right of appeal to the Circuit Court of the counties. The County Surveyor of the county elected at the last preceding general election, May 2, receive such appointment provided he be competent as provided by this Chapter, and for such services he shall receive the compensation fixed by the Fiscal Court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as county surveyor. It shall be the duty of the county clerk to give written notices to the appointees provided in this Chapter of their appointment as soon thereafter as practicable, and each person appointed shall, within ten days after having been notified of such appointment, qualify by giving such

bond as the court may direct for the faithful performance of his duties, and shall also take oath to well and truly perform the duties thereof. The County Road Engineer shall have an office at the county seat of the county. The Fiscal Court may, at its pleasure, remove any County Road Engineer."

§ 2. That Section 50 of said Act, which reads as follows:

"Section 50. The County Judge of the county, by and with the consent and approval of the Fiscal Court thereof, may, within ten days after such removal, appoint a County Road Engineer to fill the vacancy caused by such removal. The person so appointed shall hold office for the unexpired term or until a judgment or a final order of a court of competent jurisdiction determining that the original County Road Engineer was wrongfully and illegally removed, and directing his reinstatement be rendered."

Be amended by striking out the word "shall" in the third line thereof, and inserting in lieu of the word so stricken out the word "may;" and also striking from said section the following:

"Or until a judgment or a final order of a court of competent jurisdiction determining that the original County Road Engineer was wrongfully and illegally removed, and directing his reinstatement be rendered."

So that said section, when so amended, shall read as follows:

"Section 50. The County Judge of the county, by and with the consent and approval of the Fiscal Court thereof, may, within ten days after such removal, appoint a County Road Engineer to fill the vacancy caused by such removal. The person so appointed shall hold office for the unexpired term."

§ 3. That Section 94 of said Act, which reads as follows:

"Section 94. That the office of road overseer and road supervisor provided for in Chapter 110, Kentucky Statutes,

are hereby abolished and all the duties and powers and qualifications prescribed in said Act as pertaining to the said offices of supervisor and overseer shall be performed and applied to the office of Road Engineer as is created in this Chapter, after December 1, 1912."

Be repealed and stricken therefrom and that there be enacted and inserted in lieu thereof, the following:

"Section 94. The Fiscal Court of the county may in cases where no County Engineer has been appointed or is holding office, appoint road overseers and work and maintain the roads in all respects as is now provided for in Chapter 110 of the Kentucky Statutes, Carroll's 1909 Edition."

Mr. Polin offered the following amendment to said substitute:

Amend substitute to H. B. 132, Section 1, line 54. after the word "engineer" add the following: "And the said court is hereby empowered to adopt in and for their respective counties, all such reasonable rules and regulations as they may deem proper to control and manage the construction and maintenance of public roads and bridges, as well as the duties of the citizens thereof with reference to such roads, and for the management of the road and bridge fund therein. Any person who shall violate or refuse to obey any such rule or regulation after the same has become effective as herein provided, shall be deemed guilty of a misdemeanor and on conviction fined not less than five nor more than fifty dollars for each offense."

All fines and forfeitures imposed under this act shall constitute a part of the County Road and Bridge Fund.

Said amendment was agreed to.

Mr. Saufley offered the following amendment to said substitute:

Amend Section 1 of the substitute for H. B. 132, by striking out Section 48, and inserting in lieu thereof the following:

§ 48. There is hereby created in the several counties of the State of Kentucky the office of County Road Engineer.

The County Judge of each of the counties of this State, by and with the consent of the Fiscal Court, within thirty days after this law becomes operative, on or before the first day of October, nineteen hundred and fourteen, and every two years thereafter, appoint a County Road Engineer, who shall be either a reputable civil engineer, or a practical road builder. Provided, that upon the petition of not less than three per cent and not more than ten per cent of the qualified voters of any county in this State, to the County Judge of such county for an election of the said County Road Engineer by popular vote in such county, the County Judge shall thereupon order an election to fill the office of County Road Engineer, whose qualifications shall be the same as that provided for under the rule of appointment by the County Judge, by and with the consent of the Fiscal Court.

The first election of County Road Engineers under this Act shall be held at the general election in nineteen hundred and fifteen, and shall be for a term of two years, and thereafter the election of County Road Engineers shall be held at the same time and in the same manner as the election of other county officers is held, and whose term of office shall be for four years as other county officers. County Road Engineeds elected under this Act shall enter upon the duties of their respective offices on the first day of January, next following their election.

The office of County Road Engineer in the several counties of this State shall, until January first, nineteen hundred and sixteen, be filled as is now provided by law. Vacancies in the office of County Road Engineer shall be filled as vacancies in other county offices, and he shall receive a salary

fixed by the Fiscal Court at not less than ($500) five hundred dollars per annum.

The County Road Engineer shall give bond for the faithful performance of his duties, and also he shall give bond with good security for the full amount of funds that may come into his hands.

The County Road Engineer shall have an office, with proper furniture and equipment, at the county seat of the county.

Said amendment was agreed to.

Mr. Stone offered the following amendment to said substitute:

Section 48, line 19, be amended to read as follows: "Held at the general election in nineteen hundred and fourteen."

Amend line 27, of Section 48, by striking out the words "until January fourth, 1916," and insert in lieu thereof, "until January first, 1915."

Said amendment was agreed to.

The said amendment to said bill, by way of substitute therefor, as amended, was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended, by way of substitute, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	E. V. Hall	Zach. L. Myers
Harry Avery	Elwood Hamilton	John E. Newman
Jas. W. Barrall	W. L. Hampton	C. B. Nichols
J. M. Billeter	V. D. Hammond	S. Mazyck O'Brien
Henry C. Blades	H. H. Harrington	A. J. Oliver
Joseph Boitnott	J. B. Harvey	Lyman J. Parrigin
Elmer L. Brown	H. H. Hays	Lilburn Phelps
A. T. Bryson	W. E. Henninger	William A. Perry
C. W. Burton	Dr. S. L. Henry	John A. Polin
Glover H. Cary	D. H. Hillman	Dr. T. J. Poteet
Ed. F. Cecil	J. J. Huff	J. D. Pumphrey
J. G. Coke, Jr.	J. M. Johnson	S. H. Rogers
Benj. L. Cox	T. R. Jones	S. M. Saufley
James R. Dorman	John A. Judy	W. A. Shawler
John W. Douglas	Griffin Kelly	Adam Spahn
John Drescher	John H. Klette	Ed. D. Stone
H. C. Duffy	William J. Kuh	W. T. Stott
William Duffy	Simon B. Lott	N. C. Tilford
G. P. Durrett	C. R. Luker	Matt.S.Walton,Jr.
Thomas J. Evans	Geo. M. McDowell	James T. Webb
W. N. Flippin	John McDyer	W. M. Webb
Vert C. Fraser	W. T. McNally	John F. White
Ed. Frost	T. T. Mobley	N. B. White
John F. Fryer	J. R. Mount	J. D. Wills
C. M. Gum	Harry J. Myers	

—74

There voted in the negative—

John G. Miller, Jr. —1

Mr. Saufley moved to amend the title of said bill, so that said title, when amended, shall read as follows:

An Act to amend Sections 48, 50 and 94 of an Act entitled "An Act defining Public Roads, providing for their establishment, regulations and construction, use and main-

tenance, creating the office of Road Engineer, and prescribing the duties thereof," which Act became a law upon the approval of the Governor, March 18, 1912.

Said amendment was agreed to.

Resolved, That the title thereof be as amended.

Mr. S. H. Rogers moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Committee on Public Roads and Highways, to which same had been referred, with leave to report for passage, upon two days' notice to the House, said notice having been given, reported a bill of the following title:

H. B. 196. An Act to create and establish a system of public State roads and to provide for the construction and maintenance thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Commissioner of Public Roads shall have general supervision over all public roads and bridges which are being constructed, improved or maintained in whole or in part by aid of the State money, prescribe rules and regulations; not inconsistent with law, fixing the duties of county road engineers and their employes in respect to all public roads and bridges composing the public road system of the State and determining the method of construction; such rules and regulations, before taking effect, to be printed and

transmitted to the public road officials affected thereby; compel compliance with laws, rules and regulations to public roads and bridges by road officials and see that the same are carried into full force and effect, aid county road engineers and their employes in establishing grades, preparing suitable systems of drainage, and to advise with them as to the construction, improvement and maintenance of public roads and bridges; cause plans, specifications and estimates to be prepared for the repair and improvement of public roads and the construction and repair of bridges when requested upon the various methods of road construction adapted to different sections of the State, and as to the best methods of construction and maintenance of public roads throughout the State, and to collect such information thereto as he shall deem expedient; cause meetings to be held in each county for the purpose of furnishing such general information and instruction, maintenance and improvement of public roads and bridges and the application of the road laws and the rules of the department, and also for the purpose of hearing complaints. He shall notify the county engineer of his intention to hold such meetings, specify the date and place thereof; aid at all times in promoting public road improvements throughout the State, and perform such other duties and have such other powers in respect to public roads and bridges as may be imposed or conferred upon him by law.

§ 2. That there is hereby created a system of public State highways, which shall be composed and be all the roads to which State aid is furnished.

§ 3. To provide means whereby the State of Kentucky may aid the counties of the State in surveying and making maps of the public roads located therein, for locating and constructing new roads, for reconstruction and maintenance of old roads, for relocating and constructing roads already established as public roads, and to pay the State's share in the cost of such work, there is hereby set apart and created in the treasury of the State of Kentucky a fund to be here-

after known as the State Road Fund and to be collected and disbursed as set forth in this act.

§ 4. There shall be levied and collected and paid into the treasury of the State in the same manner prescribed by law for the levying, collecting and paying into the State treasury of other State taxes, a special tax to be known as the State Road Tax. The State Road Fund shall be set apart in the treasury of the State to the credit of the State Road Fund to be disbursed and conditioned as is now or may hereafter be prescribed by law for the disbursement of the State Road Fund for the permanent improvement of public roads of the State in co-operation with the counties. The State road taxes on all real, personal, franchises, and all intangible property not exempt from taxation shall be for the year nineteen hundred and fifteen and every year thereafter five cents on every one hundred dollars valuation thereof.

§ 5. The money hereby set apart in the State treasury to the credit of the State Roads Fund shall be apportioned among the several counties applying for State aid in the manner hereinafter provided, and the amount so proportioned shall be based upon the amount of taxes levied and collected therein for the building, repair and improvement of public roads, and including the taxes collected from year to year to pay the interest on or create a sinking fund for any bonded indebtedness, which may hereafter be created by any county to construct or reconstruct public roads, until such county shall have received from the State Road Fund an amount equal to one-third of the moneys appropriated for building roads by said county whether the sum thus appropriated be from the sale of bonds, or from direct taxation. Provided, that said sums shall be expended in constructing or reconstructing public roads under the direction of the Commissioner of Public Roads. Provided, however, any funds obtained under this section and used by any county may be expended by the fiscal court without the consent of the Commissioner of Public Roads.

It is further provided that any county voting bonds and expending the proceeds of the same in building or maintaining public roads under the direction of the Commissioner of Public Roads may, in case the amount thus expended exceeds the proportional amount, said county may be able to secure from the State Road Fund; then in that event, said county shall be entitled to receive from the State Road Fund in subsequent years, such further amounts as will make the total amount received from said fund equal to one-third of the moneys expended by said county under the direction of the State Commissioner of Public Roads. Provided, that the said county shall expend said funds thus secured in constructing or reconstructing or maintaining public roads. Provided, further, that no one county shall receive in any one year more than two per cent of the amount collected for State Road Fund. The amount of taxes upon which this apportionment is based shall include all district and county road taxes and any tolls levied and collected for the maintenance of any toll roads of the State. Any balance remaining in the State Road Fund after one year's apportionment shall be retained and included in the next year's apportionment.

§ 6. If any county shall not avail itself of the aid from the State apportionment under the provisions of this act then and in that case the amount so apportioned shall remain in the treasury of the State to the credit of the State Road Fund to be again apportioned among the counties of the State at the next annual apportionment.

§ 7. The fiscal court of any county may pass a resolution stating that the public interest demands the improvement or repairing of a public road or section thereof within the county, and requesting that it be constructed or improved or repaired as provided in this act. Such resolution shall contain a description of such public road or section thereof. Such public road or section thereof shall not include any portion of the public road within an incorporated city, town or village, unless it be necessary to complete the con-

nection of such improved road with the public road already improved or to be improved under this act.

The town council or other governing body, the mayor or other chief executive officer respectively of any town, village or other municipality, shall have the power and shall perform all the duties as are in this act required by the county court of the county and the sheriff of the county, respectively.

Any of the said municipalities may raise by taxation funds to pay the cost of construction of any road or roads or may issue bonds for the payment of the same in the manner prescribed by law, it being the expressed intention of this section to confer upon towns and villages or other municipalities full power to improve any road or section of road under the provisions of this act, all proceedings conforming as nearly as possible to the provisions of this act.

Any such road or section of road so constructed by any town or village or other municipality other than the county shall be exclusively under the jurisdiction of such town, village or other municipality, and shall be repaired and maintained by such municipality.

§ 8. When more roads are petitioned for in any county than can be constructed in any one year, the fiscal court of the county, with the consent of the State Commissioner of Public Roads shall have power and authority to select from the roads petitioned for the ones first to be constructed, having due regard to the most important roads and the distribution of the benefits of this act to all parts of the county.

§ 9. The term "improvement" as used in this act shall mean any work whether engineering or construction work or maintenance which is done according to plans agreed upon by the State Commissioner of Public Roads and the fiscal court and which tends towards and has for its ultimate object the permanent location and improvement of any public road or section thereof within the county by the construction of macadamized road or telford or other stone road or

road constructed of gravel or other similar materials, or a road constructed of asphaltum, brick or other paving materials, in such manner that the same, of whatever materials constructed, shall, with reasonable repairs thereto, at all seasons of the year, be firm, smooth and convenient for travel.

§ 10. The said fiscal court, after the passage of the resolution, shall, if it be construction work, cause a survey of said road so to be improved to be made, and plans, cross-sections and specifications of the work to be done on the same, to be prepared. The survey shall indicate the width and length of said road, and shall also show how much of said road may be improved by deviation from the existing lines. When the said plans, cross-sections and specifications shall have been prepared, they shall be submitted to the fiscal court of the county together with an estimate of the cost of the work, for its approval or rejection. If such court shall approve the same they shall then be submitted to the State Commissioner of Public Roads for his approval or rejection, and it shall be his duty, before approving said plans, cross-sections and specifications to ascertain by personal inspection or otherwise the natural character of the soil upon which such road is proposed to be constructed and any and all other facts that he may deem important.

If after examination of the plans, cross-sections and specifications and an inspection of the road, as aforesaid, he shall be satisfied as to the advisability of the improvement of the road as contemplated, and that one-third of the cost of the construction of said road together with one-third of the cost of construction of all other roads or sections of roads in the State, under plans and specifications previously approved by him, will not in any one fiscal year exceed the sum set apart in the treasury of the State to the credit of the State Road Fund, and advisable for the county according to the provisions of this act, or such other sum as may in any

year be appropriated for that purpose, then he shall approve the said plans, cross-sections and specifications; otherwise, he shall reject the same.

§ 11. Within thirty days after the approval of the plans, cross-sections and specifications by the State Commissioner of Public Roads it shall be the duty of the County Road Engineer of the county to advertise for bids for said work in at least one paper of general circulation, published or circulated in said county, for two weeks successively at least once in each week. This advertisement shall state the place where bidders may examine said plans, cross-sections and specifications, and at the time and place where bids for the said work will be received by the fiscal court. Each bidder must accompany his bid with a bond or certified check, payable to the sheriff of the county for a reasonable sum, as a guarantee that if the said work is awarded to him he will enter into a contract with said fiscal court for the same. The contract let by the fiscal court must be executed with a bond to the successful bidder, in a sum of at least the estimated cost of said work with two or more sureties, free holders of the county, or a surety or trust company authorized to transact business within this State, to be approved by the county court conditioned upon the faithful performance of said work in strict conformity with the plans, cross-sections and specifications for the same. The contract, before any work is done thereunder, must be exhibited to the State Commissioner of Public Roads for his approval in writing thereon, and said Commissioner of Public Roads is hereby authorized, whenever in his judgment the best interests of the State require him to do so, reject the same; in which case he shall write upon the said contract the word "Rejected," and append thereto his signature and official title of office, and the said contract and the bond required to accompany the same shall from the time of such rejection be absolutely null and void; but such rejection shall in no wise operate to prevent said court from re-advertising for bids as herein set

forth, and proceeding thenceforth under the provisions of this act, provided it is done in four months after such rejection.

§ 12. The time and manner of payment for work done under any contract awarded under this act shall be set forth in said contract, and at least five per centum of the contract price shall not be paid to the contractor until after the expiration of one year from the completion of the work and acceptance thereof in writing by the Commissioner of Public Roads.

§ 13. A true copy of all specifications, bids, contract, bonds and approval of surety, certified to be such by the Judge of the County Court shall immediately after the award of any contract be furnished by the said court to the State Commissioner of Public Roads to be filed and remain a record in the office of said Commissioner.

§ 14. Immediately after the awarding of said contract under the provisions of this act, the State Commissioner of Public Roads shall appoint a competent inspector to inspect the work required to be performed under said contract who shall receive for his services while actually engaged at work, if not otherwise paid, the sum of three dollars per day, to be paid out of the sum apportioned to said county for the one-third of the cost, as all roads constructed under this act. Such inspector before assuming the duties of his office shall make and subscribe to an oath or affirmation before any officer authorized to administer the same, that he will faithfully and to the best of his ability and understanding perform all the duties of his office. The State Commissioner of Public Roads may, however, summarily discharge any inspector and may employ a new inspector in the place of the one so discharged.

§ 15. Where any contract provides for partial payment based upon the amount of work done, it shall be the duty of the inspector as each payment becomes due, to present to the Fiscal Court a certificate signed by such inspec-

tor and the County Engineer, in which certificate shall be stated as nearly as can be the amount of work done for which payment is to be made and that the same has been done in all respects in strict compliance with the contract, plans and specifications. When the work under contract shall have been fully completed the inspector and County Engineer shall prepare a detailed and itemized statement in quadruplicate of the cost of the improvement, certifying the same, one copy of which shall be filed with the County Court of the county, one with the County Road Engineer and two with the State Commissioner of Public Roads.

All payments due to any contractor or contractors or others under the provisions of this section, shall, when certified to by the inspector and the County Road Engineer, be presented to the county court and if found to be correct shall, upon the order or warrant of said court, signed by the judge thereof, be paid by the County Treasurer.

§ 16. If the work agreed upon by the county court of the county, and the State Commissioner of Public Roads shall, in any case be only surveys of public roads and the making of maps for the same for the purpose of indicating the necessary changes to be made therein according to some definite plan for an extended system of permanent improvements on the public roads as indicated in Section 7 of this act, then it shall not be necessary for the County Clerk of the county to advertise for bids and let to contract as provided in this act for the permanent improvement of the public roads, but such work shall be done in co-operation with the County Road Engineer and the State Commissioner of Public Roads and according to the plans and general direction of the Commissioners, and for the purpose the State Commissioner of Public Roads may employ other persons to assist him in this work; and the total expense incurred thereby shall be borne in the same proportion by the district, the county and the State as is provided in this act for the payment of the total cost of permanent improvement of the public roads by State aid.

§ 17. The County Road Engineer shall keep an itemized account of the work done and he shall make monthly statements thereof in quadruplicate, setting forth the name of each person so employed, the compensation per day and each item of expense together with the date thereof, which statement of account shall be signed and sworn to by the Road Engineer, one copy of which shall be retained by him and one copy shall be filed with the county court and the two other copies shall be sent to the State Commissioner of Public Roads, and if found correct, shall be paid in the same manner as is prescribed in this act, for the payment of contract work for the permanent improvement of the public roads.

§ 18. One-third of the cost of all roads built under the provisions of this act shall be paid out of the moneys set apart in the Treasury of the State to the credit of the State Road Fund, and not otherwise appropriated. It is the purpose of this act that the State shall pay one-third and the county two-thirds of the cost of all construction, improvement or repair of all roads in which State funds are used. But no portion of the cost of acquiring any necessary land or right of way, nor any part of any damages incurred, awarded or paid shall be paid out of the money contributed by the State.

§ 19. The State Commissioner of Public Roads shall certify from time to time to the State Auditor, when a road is completed to the satisfaction of the Commissioner of Public Roads, the amount to be paid the county, and the State Auditor shall draw his warrant for the amount so certified on the State Treasurer in favor of the Treasurer of the county and the State Treasurer shall thereupon pay the same to the Treasurer who shall be the custodian thereof and shall be accountable therefor to the County Court of the county.

§ 20. Any road constructed under the provisions of this act and after the plans, specifications and contract have been approved by the State Commissioner of Public Roads, if it is deemed advisable by the Fiscal Court of the county and the State Commissioner of Public Roads to change the plans, if

it costs less than the original contract, the difference between the cost and the amount of the original contract, shall be deducted from the original contract. If the cost be more than the original contract the difference shall be added. All changes in plans and specifications shall have the approval of the County Court of the county, the County Engineer, the State Commissioner of Public Roads and the contractor.

If there is not a sufficient sum of money in the county treasury available for such purpose to provide for the payment of the county share of the additional costs, the Fiscal Court may include such deficiency in the annual tax levy which shall be assessed, collected and paid over into the county treasury as other county taxes are assessed, collected and paid over. If there is not a sufficient sum of money in the State Treasury apportioned to said county under the provisions of this act for the payment of the State's share of the additional cost, the State Commissioner of Public Roads may allow the same from the next annual apportionment, but in no case to exceed one thousand ($1,000) dollars to any one county in any one year.

§ 21. Any road constructed under the provisions of this act shall forever hereafter be a county road and the duty of keeping the same in repair devolves upon the Fiscal Court of the county, to be maintained out of the general county fund and the State Fund as provided by law, and all other powers and duties respecting such road shall be imposed upon and vested in the said Fiscal Court. Provided, however, that nothing in this act shall divest the municipal authorities of any town or village of their power to construct, grade, curb, pave or repair the sidewalks along said county roads nor shall this power of said governing bodies divest the Fiscal Court of their rights to construct across or under the sidewalks necessary culverts or otherwise provide for the maintenance of such county roads.

§ 22. If any such road by the failure or neglect of the county shall be out of repair and shall not be repaired

within sixty days after notice in writing so to do, given by the State Commissioner of Public Roads to the Fiscal Court of the county, or the County Court Clerk, the said Commissioner of Public Roads shall certify such refusal or neglect to the State Auditor who shall withhold payment to such county of all moneys apportioned or that may hereafter be apportioned to such county by the State, and no payment shall be made to said county until the State Commissioner of Public Roads shall certify to the State Auditor that said road has been placed in a good state of repair.

§ 23. The Fiscal Court of any county receiving State aid shall appropriate its proportion of money necessary to keep in good repair and free from obstructions any and all roads in its boundaries now properly constructed and in good repair and all roads constructed under this act. The cost of all repairs and removal of obstructions shall be paid by the treasurer of the county upon the order of the County Court signed by the judge thereof; and all bills for repairs or for removal of obstructions shall be verified by affidavit, and shall be certified to be correct by the County Road Engineer.

§ 24. If owners of property abutting on any public road in any county which has not been improved or is not undergoing improvement, desire said road or any section thereof to be improved and shall certify in writing to the county court of the county that they are willing to bear the entire expenses of such improvements the County Road Engineer shall prepare plans, cross-sections and specifications for the work to be done on such road or any section thereof so to be improved and shall submit the same to the owners, and if satisfactory to such owners, they are hereby authorized to enter into contract for such work, said contract to be first submitted to the county court, and upon the submission to said court of proper receipts showing full payment of all work done, the said county court may, by order, declare that

said road or any portion thereof, may thereafter be a county road.

§ 25. Whenever any public road is sought to be improved under the provisions of this act, upon which road, any land or real estate owned by the State of Kentucky may front or border, the board of managers or other body having control, and management of said lands and real estate, are hereby authorized to consent to the improvement of said road and to enter into contract for the same in the manner directed by said section, and to pay for said improvements out of the money appropriated to said board of managers or other governing body for that purpose.

§ 26. It is hereby provided that a common carrier shall not charge to exceed two mills per ton mile for the transportation of any material to be used in building public roads.

§ 27. The provisions of this act shall extend to the improvements of any road or section of road constituting a boundary line between two counties, whenever an agreement therefor shall be adopted by the County Courts of both counties.

§ 28. All acts or parts of acts in conflict herewith are hereby repealed.

The Committee on Public Roads and Highways offered the following amendment to said bill by way of substitute therefor:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Commissioner of Public Roads shall have general supervision over all public roads and bridges which are being constructed, improved or maintained in whole or in part by aid of State money, prescribe rules and regulations, not inconsistent with law, fixing the duties of County Road Engineer and their employes in respect to all public

roads and bridges composing the public road system of the State, and determining the method of construction; such rules and regulations, before taking effect, to be printed and transmitted to the public road officials affected thereby; compel compliance with laws, rules and regulations to public roads and bridges by road officials, and see that the same are carried into full force and effect, aid County Road Engineers and their employes in establishing grades, preparing suitable systems of drainage, and to advise with them as to the construction, improvement and maintenance of public roads and bridges; cause plans, specifications and estimates to be prepared for the repair and improvement of public roads and the construction and repair of bridges when requested upon the various methods of road construction adapted to the different sections of the State, and as to the best methods of construction and maintenance of public roads throughout the State, and to collect such information thereto as he shall deem expedient; cause meetings to be held in each county for the purpose of furnishing such general information and instructions, maintenance and improvements of public roads and bridges and the application of the road laws and the rules of the Department, and also for the purpose of hearing complaints. He shall notify the County Engineer of his intention to hold such meetings, specify the date and place thereof; aid at all times in promoting public roads improvements throughout the State, and perform such other duties and have such other powers in respect to public roads and bridges as may be imposed or conferred upon him by law.

§ 2. That there is hereby created a system of public State highways, which shall be composed and be all the roads to which State aid is furnished.

§ 3. To provide means whereby the State of Kentucky may aid the counties of the State in surveying and making maps of the public roads located therein, for locating and constructing new roads, for reconstruction of old roads, for relocating and constructing roads already established as

public roads, and to pay the State share in the cost of such work, there is hereby set apart and created in the Treasury of the State of Kentucky, a fund to be hereafter known as the State Road Fund, and to be collected and disbursed as set forth in this act.

§ 4. There shall be levied and collected and paid into the Treasury of the State, in the same manner prescribed by law for the levying, collecting and paying into the State Treasury of other State taxes, a special tax to be known as the State Road Tax. The State Road Tax shall be set apart in the Treasury of the State to the credit of the State road fund to be disbursed and conditioned as is now or may hereafter be prescribed by law for the disbursement of the State Road Fund for the permanent improvement of public roads of the State in co-operation with the counties. The State Road taxes on all real, personal, franchises, and all intangible property not exempt from taxation shall be for the year nineteen hundred and fifteen and every year thereafter five cents on every one hundred dollars valuation thereof.

§ 5. The money hereby set apart in the State Treasury to the credit of the State Road Fund shall be apportioned among the several counties applying for State aid in the manner hereinafter provided, and the amount so proportioned shall be based upon the amount of taxes levied and collected therein for the building and reconstruction of public roads, and including the taxes collected from year to year to pay the interest on or create a Sinking Fund for any bonded indebtedness which may hereafter be created by any county to construct or reconstruct public roads, until such county shall have received from the State Road Fund an amount equal to one-half of the moneys appropriated for building roads by said county, whether the sum thus appropriated be from the sale of bonds or from direct taxation. Provided, that said sum shall be expended in constructing or reconstructing public roads under the direction of the Commissioner of Public Roads.

It is further provided that any county voting bonds and expending the proceeds of same in building public roads under the direction of the Commissioner of Public Roads may, in case the amount thus expended exceeds the proportional amount, said county may be able to secure from the State Road Fund, then, in that event, said county shall be entitled to receive from the State Road Fund in subsequent years such further amounts as will make the total amount received from said fund equal to one-half of the moneys expended by said county under the direction of the Commissioner of Public Roads. Provided, that the said county shall expend said funds thus secured in constructing or reconstructing public roads. Provided, further, that no one county shall receive in any one year more than two per cent of the amount collected for State Road Fund. The amount of taxes upon which this apportionment is based shall include all district and county road taxes and any tolls levied and collected for the construction or reconstruction of any hard surfaced roads of the counties applying for State aid. Any balance remaining in the State Road Fund after one year's apportionment shall be retained and included in the next year's apportionment.

§ 6. If any county shall not avail itself of the aid from the State apportionment under the provisions of this act, then and in that case the amount so apportioned shall remain in the Treasury of the State to the credit of the State Road Fund to be again apportioned among the counties of the State at the next annual apportionment.

§ 7. The Fiscal Court of any county may pass a resolution stating that the public interest demands the improvement of a public road or section thereof within the county, and requesting that it be constructed or reconstructed as provided in this act. Such resolutions shall contain a description of such public road or section thereof. Such public road or section thereof shall not include any portion of the public road within an incorporated city, town or village, un-

less it is necessary to complete the connection of such improved road with the public road already improved or to be improved under this act.

The town council or other governing body, the mayor or chief executive officer respectively of any town, village or other municipality shall have the power and shall perform all the duties as are in this act required by the county court of the county and the sheriff of the county respectively.

Any of the said municipalities may raise by taxation, funds to pay the cost of construction of any road or roads or may issue bonds for the payment of the same in the manner prescribed by law, it being the expressed intention of this section to confer upon towns and villages or other municipalities full power to improve any road or section of road under the provisions of this act, all proceedings conforming as nearly as possible to the provisions of this act.

Any such road or section of road so constructed by any town or village or other municipality other than the county shall be exclusively under the jurisdiction of such town, village or other municipality, and shall be repaired and maintained by such municipality.

§ 8. When more roads are petitioned for in any county than can be constructed in any one year, the Fiscal Court of the county, with the consent of the State Commissioner of Public Roads, shall have power and authority to select from the roads petitioned for the ones first to be constructed, having due regard for the most important road and the distribution of the benefits of this act to all parts of the county.

§ 9. The term "improvement" as used in this act shall mean any work whether engineering or construction work which is done according to plans agreed upon by the State Commissioner of Public Roads and the Fiscal Court, and which tends toward and has for its ultimate object the permanent location and improvement of any public road or section thereof within the county by the construction of macadamized road or telford or other stone roads or roads con-

structed of gravel or other similar materials, or a road constructed of asphaltus, brick or other paving material, in such manner that the same, of whatever materials constructed, shall, with reasonable repairs thereto at all seasons of the year, be firm, smooth and convenient for travel.

§ 10. The said Fiscal Court, after the passage of the resolution shall, if it be construction work, cause a survey of said road so to be improved, made, and plans, profiles and specifications of the work to be done on the same to be prepared. The survey shall indicate the width and length of said road, and shall also show how much of said road may be improved by deviation from the existing lines. When the said plans, profiles and specifications shall have been prepared, they shall be submitted to the Fiscal Court of the county, together with an estimate of the cost of the work, for its approval or rejection. If such court shall approve the same, they shall then be submitted to the State Commissioner of Public Roads for his approval or rejection, and it shall be his duty, before approving said plans, profiles and specifications, to ascertain by personal inspection or otherwisce the natural character of the soil upon which such road is proposed to be constructed and any and all other facts that he may deem important.

If, after examination of the plans, profiles and specifications and an inspection of the road, as aforesaid, he shall be satisfied as to the advisability of the improvement of the road as contemplated, and that one-half of the cost of construction of said road, together with one-half of the cost of construction of all other roads or sections of roads in the State, under plans and specifications previously approved by him, will not in any one fiscal year exceed the sum set apart in the Treasury of the State to the credit of the State Road Fund, and available for the county according to the provisions of this act, or such other sum as may in any year be apportioned for that purpose, then he shall approve the said

plans, profiles and specifications; otherwise, he shall reject the same.

§ 11. Within thirty days after the approval of the plans, profiles and specifications by the State Commissioner of Public Roads, it shall be the duty of the clerk of the Fiscal Court of the county to advertise for bids for said work in at least one paper of general circulation, published or circulated in said county, for two weeks successively at least once in each week. This advertisement shall state the place where the bidders may examine said plans, profiles and specifications and at the time and place where bids for the said work will be received by the Fiscal Court. Each bidder must accompany his bid with a bond or certified check, payable to the sheriff of the county, for a reasonable sum, to be fixed by the county judge and approved by the State Commissioner of Public Roads, as a guarantee that if the said work is awarded to him he will enter into a contract with the said Fiscal Court for the same. The contract let by the Fiscal Court must be accompanied with a bond executed by the successful bidder, in a sum of at least the estimated cost of the said work, with two or more sureties, freeholders of the county, or a surety or trust company authorized to transact business within this State, to be approved by the county court, conditioned upon the faithful performance of said work in strict conformity with the plans, profiles and specifications for the same. The contract, before any work is done thereunder, must be submitted to the State Commissioner of Public Roads for his approval in writing thereon, and said Commissioner of Public Roads is hereby authorized, whenever, in his judgment, the best interests of the State requiring him to do so, reject the same; in which case he shall write upon the said contract the word "rejected," and append thereto his signature and official title of office, and the said contract and the bond required to accompany the same shall, upon the time of such rejection, be absolutely null and void; but such rejection shall in nowise operate to prevent

said court from readvertising for bids as herein set forth, and proceeding thenceforth under the provisions of this act; provided it is done in four months after such rejection.

§ 12. The time and manner of payment for work done under any contract awarded under this act shall be set forth in said contract, and at least five per centum of the contract price shall not be paid to the contractor until after the expiration of one year from the completion of the work and acceptance thereof in writing by the Commissioner of Public Roads.

§ 13. A true copy of all specifications, bids, contract, bonds and approval of surety, certified to be such by the Judge of the County Court, shall immediately after the award of any contract be furnished by the said court to the State Commissioner of Public Roads to be filed and remain a record in the office of said Commissioner.

§ 14. Immediately after the awarding of said contract under the provisions of this act, the State Commissioner of Public Roads shall appoint a competent inspector to inspect the work required to be performed under such contract, who shall receive for his services while actually engaged at work, if not otherwise paid, the sum of three dollars per day, to be paid out of the sum apportioned to said county for the one-half of the cost, as all roads constructed under this act. Such inspector, before assuming the duties of his office, shall make and subscribe to an oath or affirmation before any officer authorized to administer the same that he will faithfully, and to the best of his ability and understanding, perform all the duties of his office. The State Commissioner of Public Roads may, however, summarily discharge any inspector and may employ a new inspector in the place of the one so discharged.

§ 15. Where any contract provides for partial payment based upon the amount of work done, it shall be the duty of the inspector as each payment becomes due to present to the Fiscal Court a certificate signed by such inspector and the County Road Engineer, in which certificate shall be

stated as nearly as can be the amount of work done for which payment is to be made and that the same has been done in all respects in strict compliance with the contract, plans and specifications. When the work under contract shall have been fully completed, the inspector and County Road Engineer shall prepare a detailed and itemized statement in quadruplicate of the cost of the improvement, certifying the same, one copy of which shall be filed with the Fiscal Court of the county, one with the County Road Engineer and two with the State Commissioner of Public Roads.

All payments due to any contractor or contractors or others under the provisions of this section, shall, when certified to by the inspector and County Road Engineer, be presented to the County Court, and if found to be correct, shall, upon the order or warrant of said court, signed by the judge thereof, be paid by the County Treasurer.

§ 16. If the work agreed upon by the Fiscal Court of the county and the State Commissioner of Public Roads shall, in any case, be only surveys of public roads and the making of maps for the same for the purpose of indicating the changes to be made therein according to some definite plan for an extended system of permanent improvements on the roads as indicated in Section 7 of this act, then it shall not be necessary for the county clerk of the county to advertise for bids and let the contract as provided in this act for the permanent improvement of the public road, but such work shall be done in co-operation with the County Road Engineer and the State Commissioner of Public Roads and according to the plans and general directions of the Commissioner, and for the purpose the State Commissioner of Public Roads may employ other persons to assist him in this work; and the total expense incurred thereby shall be borne in the same proportion by the district, the county and the State as is provided in this act for the payment of the total cost of permanent improvement of the public roads by State aid.

§ 17. The County Road Engineer shall keep an itemized account of the work done and he shall make monthly statements thereof in quadruplicate, setting forth the name of each person so employed, the compensation per day and each item of expense together with the date thereof, which statement of account shall be signed and sworn to by the Road Engineer, one copy of which shall be retained by him and one copy shall be filed with the County Court; and the two other copies shall be sent to the State Commissioner of Public Roads, and if found correct, shall be paid in the same manner as prescribed in this act for the payment of contract work for the permanent improvement of the public roads.

§ 18. One-half of the cost of all roads built under the provisions of this act shall be paid out of the moneys set apart in the Treasury of the State to the credit of the State Road Fund, and not otherwise appropriated. It is the purpose of this act that the State shall pay one-half and the county one-half of the cost of all construction or reconstruction of all roads in which State funds are used. But no portion of the cost of acquiring any necessary land or right-of-way, nor any part of damage incurred, awarded or paid shall be paid out of the money contributed by the State.

§ 19. The State Commissioner of Public Roads shall certify from time to time to the State Auditor, when a road is completed to the satisfaction of the Commissioner of Public Roads, the amount to be paid the county, and the State Auditor shall draw his warrant for the amount so certified on the State Treasurer in favor of the treasurer of the county, and the State Treasurer shall thereupon pay the same to the treasurer, who shall be the custodian thereof and shall be accountable therefor to the Fiscal Court of the county.

§ 20. Any road constructed under the provisions of this act and after the plans, specifications and contracts have been approved by the State Commissioner of Public Roads, if it is deemed advisable by the Fiscal Court of the county

and the State Commissioner of Public Roads to change the plans, if it costs less than the original contract, the difference between the cost and the amount of the original contract shall be deducted from the original contract. If the cost be more than the original contract the difference shall be added. All changes in plans and specifications shall have the approval of the Fiscal Court of the county and the State Commissioner of Public Roads.

§ 21. Any road constructed or reconstructed under the provisions of this act shall forever hereafter be a county road and the duty of keeping the same in repair devolves upon the Fiscal Court of the county, to be maintained out of the general county fund as provided by law, and all other powers and duties respecting such roads shall be imposed upon and vested in the said Fiscal Court. Provided, however, that nothing in this act shall divest the municipal authorities of any town or village of their power to construct, grade, curb, pave or repair the sidewalks along said county road, nor shall this power of said governing bodies divest the Fiscal Court of their rights to construct across or under sidewalks necessary culverts or otherwise provide for the maintenance of such county roads.

§ 22. The Fiscal Court of any county receiving State aid shall appropriate sufficient money to keep in good repair and free from obstructions any and all roads in its boundaries now properly constructed and in good repair and all roads constructed under this act. The cost of all repairs and removals of obstructions shall be paid by the treasurer of the county upon the order of the County Court signed by the judge thereof; and all bills for repairs or for removal of obstructions shall be verified by affidavit, and shall be certified to be correct by the County Road Engineer.

§ 23. It is hereby provided that a common carrier shall not charge to exceed three mills per ton mile for the transportation of any material to be used in building public roads.

§ 24. The provisions of this act shall extend to the im-

provements of any road or section of road constituting a boundary line between two counties, whenever an agreement therefor shall be adopted by the Fiscal Courts of both counties.

§ 25. If at any time the United States Government shall appropriate money to aid the States of the United States in building public roads the Commissioner of Public Roads is hereby empowered to enter into such co-operative agreement with the United States Government as is required by the laws of the United States for the purpose of obtaining such State aid in building roads, and the total amount of money raised by this act shall be available for use in making such co-operative agreement. Any agreement so entered into shall be approved by the Board of Sinking Fund Commissioners before same shall become effective. In the event it should at any time prove that said co-operative work is not being conducted to the best advantage of the State, the Commissioner of Public Roads is hereby authorized to withdraw from such co-operative work, when so advised by the Board of Sinking Fund Commissioners, upon such terms as may be permitted by law, and as are just and equitable.

§ 26. All acts or parts of acts in conflict herewith are hereby repealed.

The Committee on Public Roads and Highways offered the following amendment to said substitute.

Amend substitute for House Bill 196 by inserting the following, in section 9, line 8, after the comma following the word "materials" insert:

"Or an earth road, the surface of which is properly crowned, ditched and smoothed, so that water will not be retained thereon."

Said amendment was agreed to.

Mr. S. H. Rogers offered the following amendment to said substitute:

Amend substitute 196, section 24, by adding the following:

Provided, That in any county where no County Road Engineer is employed, that the duties imposed upon him under the provisions of this Act shall be assumed by the Fiscal Court of said county or the person or persons having charge of the fiscal affairs of said county.

Mr. Hamilton moved to postpone consideration of House Bill 45, until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Hamilton moved that this House take a recess at 12:30 to reconvene at 2 o'clock P. M. and continue in session until 5 o'clock P. M. today.

Said motion was agreed to.

Mr. Hamilton moved that the vote by which this House ordered a recess at 12:30 until 2 o'clock P. M. and continue in session until 5 o'clock P. M., be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

Mr. H. J. Meyers moved that when this House adjourn today it be to meet on Monday, March 2nd, 1914, at 1 o'clock P. M.

Mr. Greene offered the following amendment to said motion:

That when this House adjourn at 5 o'clock it be to meet at 7 o'clock P. M. today.

Said amendment was disagreed to.

The yeas and nays being required on the original motion to adjourn by Messrs. Brown and H. J. Meyers, were as follows:

Those who voted in the affirmative were—

Peter Ampler	C. M. Gum	A. J. Oliver
Harry Avery	H. H. Harrington	Lyman J. Parrigin
Wallace Bailey	W. E. Henninger	William A. Perry
Geo. B. Barrett	John A. Judy	John A. Polin
J. M. Billeter	Griffin Kelly	Dr. T. J. Poteet
Elmer L. Brown	William J. Kuh	J. D. Pumphrey
A. T. Bryson	J. C. Lay	B. T. Rountree
C. W. Burton	C. R. Luker	Adam Spahn
John W. Douglas	Geo. M. McDowell	Louis Tieman
John Drescher	John McDyer	James T. Webb
William Duffy	W. T. McNally	W. M. Webb
Thomas J. Evans	Harry J. Myers	John F. White
W. N. Flippin	Zach L. Myers	J. D. Wills
John F. Fryer	S. Mazyck O'Brien	—41

Those who voted in the negative were—

Jas. W. Barrall	Elwood Hamilton	John E. Newman
Henry C. Blades	W. L. Hampton	C. B. Nichols
Joseph Boitnott	V. D. Hammond	Lilburn Phelps
Glover H. Cary	J. B. Harvey	Richard Radcliffe
Ed. F. Cecil	H. H. Hays	Stanley F. Reed
Benj. L. Cox	Dr. S. L. Henry	S. H. Rogers
James R. Dorman	D. H. Hillman	W. E. Rogers
H. C. Duffy	J. J. Huff	S. M. Saufley
John C. Duffy	R.B.Hutchcraft,Jr.	W. A. Shawler
Odie Duncan	T. R. Jones	L. M. Smith
G. P. Durrett	Simon B. Lott	Ed. D. Stone
Vert C. Fraser	Dr.J.N.M'Cormack	W. T. Stott
Ed. Frost	John G. Miller, Jr.	N. C. Tilford
Frank C. Greene	T. T. Mobley	Matt.S.Walton,Jr.
E. V. Hall	J. R. Mount	N. B. White —45

And so said motion was disagreed to.

Mr. Walton moved that House Bill 196 be recommitted to the Committee on Public Roads and Highways, with leave to report same to the House upon one day's notice.

Said motion was disagreed to.

Mr. Hutchcraft offered the following amendment to said Substitute to House Bill 196.

Amend Substitute by striking out Section 4 and inserting in lieu thereof the following:

Every person, firm, association or corporation engaged in the business of mining coal in this Commonwealth for sale, shall pay into the Treasury of the Commonwealth an annual license tax of one cent on each ton of coal so mined.

On or before the tenth day of January each year, each person, firm, association or corporation engaged in the mining of coal shall make and file with the Auditor of State a sworn report of the total number of tons of coal mined by him or them during the calendar year ending December thirty-first last past, and said sworn report shall name and designate the mine or mines from which said coal was mined. Such person, firm, association or corporation shall, at the time of filing said sworn report, pay to the Auditor of State the amount of said tax, as herein provided, and the Auditor shall cover the same into the Treasury of the Commonwealth.

Any person, firm, association or corporation that shall fail or refuse to make or file with the Auditor the sworn report herein required by the time specified, or who shall fail or refuse to pay the license tax herein provided for at the time designated, shall be guilty of a misdemeanor, and upon conviction in the Franklin Circuit Court shall be fined five

hundred dollars for each day of such delinquency, but such fine shall not abate the said license tax or any part thereof, and the Auditor shall proceed to collect such taxes in the same manner as is provided by law for the collection of other delinquent taxes.

All funds accruing from the tax hereby imposed shall be set apart as a part of the State Road Fund.

Said amendment was disagreed to.

Mr. Spahn indicated the hour of adjournment.

And then the House recessed.

AFTERNOON SESSION.

At 2 o'clock the House reconvened.

The House took up for consideration the unfinished business from the morning session, namely, House Bill 196.

Mr. J. C. Duffy offered the following amendment to said substitute:

Amend by adding to Section 4 the following:

"Provided, however, that the five cent levy herein provided for shall not become effective until the question as to whether or not the said levy shall be made, shall have been submitted to the voters of the State for their ratification or rejection at the next general election at which members of the General Assembly are elected, and if a majority of the votes cast on said question are in favor of the said levy, then the same shall become effective for the following year. The said question 'Are you in favor of the levy of five cents for State aid for good roads?' shall be printed on all ballots as questions for the amendment of the Constitution are sub-

mitted, and the results thereof shall be certified at the same time and in the same manner that constitutional amendments are certified."

The yeas and nays being required on the adoption of said amendment by Messrs. Hutchcraft and J. T. Webb were as follows, namely:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	Richard Radcliffe
Harry Avery	Dr. S. L. Henry	Stanley F. Reed
Jas. W. Barrall	D. H. Hillman	W. E. Rogers
Joseph Boitnott	R.B.Hutchcraft,Jr.	S. M. Saufley
Glover H. Cary	J. M. Johnson	L. M. Smith
Benj. L. Cox	T. R. Jones	W. T. Stott
H. C. Duffy	John A. Judy	Louis Tieman
John C. Duffy	Griffin Kelly	N. C. Tilford
Odie Duncan	John H. Klette	Matt.S.Walton,Jr.
G. P. Durrett	Geo. M. McDowell	James T. Webb
Vert C. Fraser	J. R. Mount	John F. White
Frank C. Greene	Zach L. Myers	N. B. White
Elwood Hamilton	C. B. Nichols	J. D. Wills
W. L. Hampton	A. W. Palmer	Roy S. Wilson
V. D. Hammond	J. D. Pumphrey	—44

Those who voted in the negative were—

Geo. B. Barrett	William Duffy	J. C. Lay
J. M. Billeter	Thomas J. Evans	Simon B. Lott
Henry C. Blades	W. N. Flippin	C. R. Luker
Elmer L. Brown	Ed. Frost	Dr.J.N.M'Cormack
A. T. Bryson	C. M. Gum	John McDyer
C. W. Burton	E. V. Hall	W. T. McNally
Ed. F. Cecil	J. B. Harvey	John G. Miller, Jr.
J. G. Coke, Jr.	H. H. Hays	T. T. Mobley
James R. Dorman	W. E. Henninger	Harry J. Myers
John W. Douglas	J. J. Huff	John E. Newman
John Drescher	William J. Kuh	S. Mazyck O'Brien

A. J. Oliver	Dr. T. J. Poteet	W. M. Webb
Lyman J. Parrigin	S. H. Rogers	M. O. Wilson
Lilburn Phelps	W. A. Shawler	Douglas G. Wood
William A. Perry	Adam Spahn	
John A. Polin	Ed. D. Stone	—46

And so said amendment was disagreed to.

Mr. Smith offered the following amendment to said substitute:

"Amend by striking out Sections 1 to 26 inclusive."

Said amendment was disagreed to.

Mr. J. C. Duffy offered the following amendment to said substitute:

"Amend by striking out Section One (1)."

Said amendment was disagreed to.

Mr. Cary offered the following amendment to said substitute:

"That this act shall be submitted to the voters of the Commonwealth of Kentucky, at the November election, 1914, as other amendments are submitted by law, and if a majority of the voters at said election cast their vote in favor of said act then it shall become effective.

The yeas and nays being required on the adoption of said amendment by Messrs. Pumphrey and Walton, were as follows:

Those who voted in the affirmative were—

Peter Ampler	Dr. S. L. Henry	Stanley F. Reed
Harry Avery	D. H. Hillman	W. E. Rogers
Jas. W. Barrall	R.B.Hutchcraft,Jr.	S. M. Saufley
Joseph Boitnott	J. M. Johnson	L. M. Smith
Glover H. Cary	T. R. Jones	Ed. D. Stone
Benj. L. Cox	John A. Judy	W. T. Stott
H. C. Duffy	Griffin Kelly	Louis Tieman
John C. Duffy	John H. Klette	N. C. Tilford
Odie Duncan	Geo. M. McDowell	M. S. Walton, Jr.
Vert C. Fraser	J. R. Mount	James T. Webb
Frank C. Greene	Zach L. Myers	John F. White
Elwood Hamilton	C. B. Nichols	J. D. Wills
W. L. Hampton	A. W. Palmer	Roy S. Wilson
V. D. Hammond	J. D. Pumphrey	
H. H. Harrington	Richard Radcliffe	—43

Those who voted in the negative were—

Geo. B. Barrett	E. V. Hall	A. J. Oliver
J. M. Billeter	J. B. Harvey	Lyman J. Parrigin
Henry C. Blades	H. H. Hays	Lilburn Phelps
Elmer L. Brown	J. J. Huff	William A. Perry
A. T. Bryson	William J. Kuh	John A. Polin
C. W. Burton	J. C. Lay	Dr. T. J. Poteet
Ed. F. Cecil	Simon B. Lott	S. H. Rogers
J. G. Coke, Jr.	C. R. Luker	B. T. Rountree
James R. Dorman	Dr.J.N.M'Cormack	W. A. Shawler
John W. Douglas	John McDyer	Adam Spahn
John Drescher	W. T. McNally	W. M. Webb
William Duffy	John G. Miller, Jr.	N. B. White
Thomas J. Evans	T. T. Mobley	M. O. Wilson
W. N. Flippin	Harry J. Myers	Douglas G. Wood
Ed. Frost	John E. Newman	
C. M. Gum	S. Mazyck O'Brien	—46

And so said amendment was disagreed to.

Mr. Hutchcraft offered the following amendment to said substitute:

Amend the substitute by adding the following paragraph to Section 4:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person, firm, association or corporation engaged in the business of mining coal in this Commonwealth for sale shall pay into the Treasury of the Commonwealth an annual license tax of one cent on each ton of coal so mined.

§ 2. On or before the tenth day of January each year, each person, firm, association or corporation engaged in the mining of coal shall make and file with the Auditor of State a sworn report of the total number of tons of coal mined by him or them during the calendar year ending December thirty-first last past, and said sworn report shall name and designate the mine or mines from which said coal was mined. Such person, firm, association or corporation shall, at the time of filing said sworn report, pay to the Auditor of State the amount of said tax, as herein provided, and the Auditor shall cover the same into the Treasury of the Commonwealth.

§ 3. Any person, firm, association or corporation that shall fail or refuse to make or file with the Auditor the sworn report herein required by the time specified, or who shall fail or refuse to pay the license tax herein provided for at the time designated shall be guilty of a misdemeanor, and upon conviction in the Franklin Circuit Court shall be fined five hundred dollars for each day of such delinquency, but such fine shall not abate the said license tax or any part thereof, and the Auditor shall proceed to collect such taxes in the same manner as is provided by law for the collection of other delinquent taxes. The funds accruing from the tax imposed by this paragraph shall also be set apart as a part of the State Road Fund.

The yeas and nays being required on the adoption of said amendment by Messrs. Walton and Hutchcraft, were as follows:

Those who voted in the affirmative were—

Peter Ampler	Dr. S. L. Henry	Richard Radcliffe
Elmer L. Brown	R.B.Hutchcraft,Jr.	Stanley F. Reed
Glover H. Cary	T. R. Jones	W. E. Rogers
Benj. L. Cox	Griffin Kelly	S. M. Saufley
John Drescher	John H. Klette	L. M. Smith
H. C. Duffy	John G. Miller, Jr.	W. T. Stott
John C. Duffy	J. R. Mount	Louis Tieman
Odie Duncan	Zach. L. Myers	N. C. Tilford
Vert C. Fraser	C. B. Nichols	Matt.S.Walton,Jr.
Frank C. Greene	John A. Polin	James T. Webb
W. L. Hampton	Dr. T. J. Poteet	J. D. Wills
H. H. Harrington	J. D. Pumphrey	Roy S. Wilson

—36

Those who voted in the negative were —

Harry Avery	Elwood Hamilton	John E. Newman
Jas. W. Barrall	E. V. Hall	S. Mazyck O'Brien
Geo. B. Barrett	J. B. Harvey	A. J. Oliver
J. M. Billeter	H. H. Hays	A. W. Palmer
Henry C. Blades	W. E. Henninger	Lyman J. Parrigin
Joseph Boitnott	D. H. Hillman	Lilburn Phelps
A. T. Bryson	J. J. Huff	William A. Perry
C. W. Burton	John A. Judy	S. H. Rogers
Ed. F. Cecil	William J. Kuh	B. T. Rountree
J. G. Coke, Jr.	J. C. Lay	W. A. Shawler
James R. Dorman	Simon B. Lott	Adam Spahn
John W. Douglas	C. R. Luker	Ed. D. Stone
William Duffy	Dr.J.N.M'Cormack	W. M. Webb
Thomas J. Evans	Geo. M. McDowell	John F. White
W. N. Flippin	John McDyer	N. B. White
Ed. Frost	W. T. McNally	M. O. Wilson
C. M. Gum	T. T. Mobley	Douglas G. Wood
V. D. Hammond	Harry J. Myers	

—53

And so said amendment was disagreed to.

Mr. Palmer offered the following amendment to said substitute:

"Nothing in this Act shall be construed to mean that the aforesaid '5 cent' tax shall take effect, or to be levied, unless the proposed appropriation to the Federal Government is extended to the State of Kentucky for Good Road purposes."

Said amendment was disagreed to.

Said amendment by way of substitute, as amended, was then agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and as amended by way of substitute therefor, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, namely:

Those who voted in the affirmative were—

Wallace Bailey	J. G. Coke, Jr.	Ed. Frost
Jas. W. Barrall	James R. Dorman	C. M. Gum
Geo. B. Barrett	John W. Douglas	E. V. Hall
J. M. Billeter	John Drescher	Elwood Hamilton
Henry C. Blades	John C. Duffy	J. B. Harvey
A. T. Bryson	William Duffy	H. H. Hays
C. W. Burton	Thomas J. Evans	W. E. Henninger
Ed. F. Cecil	W. N. Flippin	J. J. Huff

William J. Kuh	John E. Newman	B. T. Rountree
J. C. Lay	S. Mazyck O'Brien	W. A. Shawler
Simon B. Lott	A. J. Oliver	Adam Spahn
C. R. Luker	Lyman J. Parrigin	N. C. Tilford
Dr.J.N.M'Cormack	Lilburn Phelps	W. M. Webb
John McDyer	William A. Perry	John F. White
W. T. McNally	John A. Polin	N. B. White
T. T. Mobley	Dr. T. J. Poteet	M. O. Wilson
Harry J. Myers	S. H. Rogers	Douglas G. Wood

—51

Those who voted in the negative were—

Peter Ampler	D. H. Hillman	J. D. Pumphrey
Harry Avery	R.B.Hutchcraft,Jr.	Richard Radcliffe
Elmer L. Brown	J. M. Johnson	Stanley F. Reed
Joseph Boitnott	T. R. Jones	W. E. Rogers
Glover H. Cary	John A. Judy	S. M. Saufley
Benj. L. Cox	Griffin Kelly	L. M. Smith
H. C. Duffy	John H. Klette	Ed. D. Stone
Odie Duncan	Geo. M. McDowell	W. T. Stott
Frank C. Greene	John G. Miller, Jr.	Louis Tieman
W. L. Hampton	J. R. Mount	Matt.S.Walton,Jr.
V. D. Hammond	Zach L. Myers	James T. Webb
H. H. Harrington	C. B. Nichols	J. D. Wills
Dr. S. L. Henry	A. W. Palmer	Roy S. Wilson

—39

Resolved, That the title thereof be as aforesaid.

Mr. Douglas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following pair was presented at the Clerk's desk:

The gentleman from Mason (Mr. Reed) and the gentleman from Meade (Mr. Harrington) report a pair on House

Bill 35 and all amendments (relating to two cent fare). Mr. Harrington if present would vote aye; Mr. Reed, no.

H. H. Harrington, Stanley F. Reed.

Mr. Fraser asked the unanimous consent of the House to excuse him from voting on the passage of House Bill 196.

Said request was granted.

Mr. Harry J. Meyers asked the unanimous consent of the House to introduce a bill.

Said request was granted.

By Mr. H. J. Meyers:

H. B. 596. An Act to provide for the payment of the sum of two hundred and fifty-eight dollars and eighty cents to A. E. Barrett, of Pike County, Kentucky, for teaching.

To Committee on Appropriations.

Mr. Walton asked the unanimous consent of the House to introduce a bill.

Said request was granted.

By Mr. Walton:

H. B. 597: An Act to further regulate tobacco warehouse companies in the State of Kentucky.

To Committee on Commerce and Manufacturing.

A message was received from the Governor announcing that he had approved and signed House Bill No. 145, which originated in the House of the following title:

"An Act to amend and re-enact section three thousand seven hundred thirteen, three thousand seven hundred fourteen, chapter eighty-nine, Carroll's Kentucky Statutes, being part of article 8 of said chapter, entitled 'Creation and organization of towns,' approved July third, one thousand eight hundred ninety-three."

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title:

"H. B. 275. An Act to amend Sections One, Two, Four, Five, Six and Thirteen of Chapter 5 of the Acts of 1912, entitled 'An Act relating to fire, lightning, hail, windstorm and sprinkler leakage insurance, and to regulate and control the rates of premium thereon, and creating a State Insurance Board and defining the powers and duties of said board,' and to further amend said Act by enacting sub-section 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board certain data in their possession affecting insurance risks and rates thereon and fixing a penalty for its violation." With amendments thereto.

Mr. H. J. Meyers moved that when this House adjourn today it be to meet on Monday, March 2, at 1:15 o'clock P. M.

Mr. Hamilton moved by way of amendment to said motion that this House do now adjourn.

The yeas and nays being required on said motion as amended by Messrs. Douglas and Judy, were as follows:

Those who voted in the affirmative were—

Jas. W. Barrall	E. V. Hall	Zach. L. Myers
Henry C. Blades	Elwood Hamilton	John E. Newman
Joseph Boitnott	W. L. Hampton	C. B. Nichols
Ed. F. Cecil	V. D. Hammond	A. W. Palmer
J. G. Coke, Jr.	H. H. Hays	Lyman J. Parrigin
Benj. L. Cox	Dr. S. L. Henry	Stanley F. Reed
James R. Dorman	R.B.Hutchcraft,Jr.	S. M. Saufley
John Drescher	John H. Klette	L. M. Smith
H. C. Duffy	Simon B. Lott	Ed. D. Stone
John C. Duffy	Dr.J.N.M'Cormack	W. T. Stott
G. P. Durrett	John G. Miller, Jr.	Matt.S.Walton,Jr.
Vert C. Fraser	T. T. Mobley	Roy S. Wilson
Frank C. Greene	J. R. Mount	—38

Those who voted in the negative were—

Peter Ampler	W. E. Henninger	A. J. Oliver
Wallace Bailey	D. H. Hillman	William A. Perry
Geo. B. Barrett	J. J. Huff	Dr. T. J. Poteet
J. M. Billeter	T. R. Jones	J. D. Pumphrey
Elmer L. Brown	John A. Judy	Richard Radcliffe
A. T. Bryson	Griffin Kelly	B. T. Rountree
C. W. Burton	William J. Kuh	W. A. Shawler
Glover H. Cary	J. C. Lay	Adam Spahn
John W. Douglas	C. R. Luker	Louis Tieman
William Duffy	Geo. M. McDowell	N. C. Tilford
Thomas J. Evans	John McDyer	James T. Webb
W. N. Flippin	W. T. McNally	W. M. Webb
C. M. Gum	Harry J. Myers	John F. White
J. B. Harvey	S. Mazyck O'Brien	J. D. Wills
		—42

And so said motion was disagreed to.

Mr. Radcliffe, of the Committee on Enrollments, reported that they had examined and found correctly enrolled resolutions of the following titles:

H. Res. 19. Resolution for the benefit of N. C. Tilford and Yeaman Watkins.

S. Res. 16. Joint resolution for Weather Bureau at Lexington, Kentucky.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House, affixed his signature to each of said resolutions.

Ordered that the Enrolling Clerk deliver said S. Res. 16 to the Senate.

Ordered that the Chief Clerk deliver the enrolled H. Res. 19, which originated in the House, and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hamilton indicated the hour of adjournment.

And then the House adjourned.

SATURDAY, FEBRUARY 28, 1914.

The House was opened with prayer by the Rev. Benj. Andres, of the Southern Presbyterian Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and representative districts, bills were introduced, ordered printed and referred as follows:

By Mr. Barrett:

H. B. 598. An Act to regulate auctioneers.

To Committee on Judiciary.

By Mr. Spahn:

H. B. 599. An Act to regulate the employment of convicts pending the vote of the people of this Commonwealth on an amendment to authorize convicts to work on public roads of this Commonwealth.

To Committee on Public Roads and Highways.

By Mr. Miller:

H. B. 600. An Act to amend Section 6 of Kentucky Statutes, and relating to deaths resulting from negligence.

To Committee on Judiciary.

By Mr. Coke:

H. B. 601. An Act to amend Section 747, Sub-section 8, Chapter 32, of the Kentucky Statutes, relating to salary of Insurance Commissioner, Deputy and Clerks.

To Committee on Insurance, Fire and Marine.

By Mr. Duffy:

H. B. 602. An Act to provide for State ownership and control of the Kentucky Children's Home Society.

To Committee on Juvenile Courts and Children's Homes.

By Mr. W. M. Webb:

H. B. 603. An Act to repeal the charter of the town of Flat Gap, in Johnson County.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Duncan:

H. B. 604. An Act to amend Section 801, Kentucky Statutes, 1903 Edition, Carroll's, relating to railroads—separate coaches.

To Committee on Railroads.

By Mr. McCormack:

H. B. 605. An Act to amend Section 36 of the Constitution of the Commonwealth of Kentucky.

Petitions were presented by Messrs Henninger, Poteet, Huff, N. B. White and Stott and N. C. Tilford, of the counties of Breckinridge, Larue, Harlan, Ohio, Boone and Grayson, signed by sundry citizens, urging the submission to the voters of Kentucky of an amendment to the State Constitution prohibiting the manufacture and sale of alcoholic liquors in the State of Kentucky.

Said petitions were received, read and ordered to be referred to the Committee on Alcoholic Liquor Traffic.

Mr. Brown presented a petition signed by sundry physicians of the city of Owensboro urging the defeat of H. B. 277, which would permit physicians who were graduates in medicine prior to 1905 to register as pharmacists without an examination.

Said petition was received, read and ordered to be referred to the Committee on Public Health.

Mr. J. T. Webb moved that the rules be suspended; that the House take up for consideration a bill entitled:

H. B. 368. An Act to allow the use of hoopnets in the navigable rivers of Kentucky.

Said motion was agreed to.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be lawful to use a hoopnet with a two-inch mesh in the navigable rivers of Kentucky.

§ 2. It is further provided that the said nets shall not be placed within five hundred feet of the mouth of any creek emptying into any of the rivers of this State.

§ 3. It shall be the duty of all game wardens to seize and destroy all nets found within the prohibited distance mentioned in this act.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed.

The Committee on Fish and Game offered the following amendment by way of substitute therefor to said bill:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be lawful to use a hoopnet, without wings, mesh of which shall not be less than 2 inches square, in the navigable rivers and streams of Kentucky:

§ 2. It is further provided that said nets shall not be placed within 500 feet of the mouth of any stream emptying into any navigable river or creek, as covered by this bill.

§ 3. It shall be the duty of all game wardens to seize and destroy all nets found within the prohibited distance mentioned in Section 2 of this act.

§ 4. Before the nets mentioned in Section 1 of this act can be used, legally, it will be necessary for the owner to apply to the county court clerk of the county in which he resides for a license to operate such nets. The county court clerk issuing the license shall furnish to the person licensed to operate the net a metal tag or marker, that must be attached to the said net at all times. The license and tag so issued by the county court clerks are good for only one year from date of issue. All licenses and tags furnished by the county court clerks must be serially numbered. Such licenses and tags to be furnished to the county court clerks of the various counties, ten days prior to the first of January in each year. Said applicant must pay to the county court clerk the sum of one dollar for the first license and tag, and one dollar and fifty cents for each additional license and tag for net. The county court clerk shall retain for each license issued the

sum of fifteen cents, and shall remit to the State Treasurer the remainder of all funds collected for this purpose, the first of each month, and all such sums remitted to the State Treasurer shall be credited to the Game and Fish Protection Fund.

§ 5. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Mobley offered the following amendment to said substitute:

Amend by adding to Section 1, "Said hoopnet shall not be wider than six (6) feet at the mouth."

Said amendment was agreed to.

Mr. Douglas offered the following amendment to said substitute:

That Section 1 of Substitute shall be amended as follows:

"By striking out the words 'navigable rivers' and insert in lieu thereof the words 'all the streams of this State.' "

Said amendment was agreed to.

Mr. Douglas offered the following amendment to said substitute:

That the substitute be amended as to strike out all that part of substitute requiring pay to operate hoopnets.

Said amendment was agreed to.

Mr. Greene offered the following amendment to said substitute:

Amend substitute, by adding, "One inch mesh" instead of "two inch mesh" and the following: "And no license is required to operate any of said nets."

Said amendment was disagreed to.

Mr. Drescher moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended by way of substitute, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Peter Ampler	Dr. S. L. Henry	Lilburn Phelps
Wallace Bailey	J. J. Huff	John A. Polin
Jas. W. Barrall	J. M. Johnson	J. D. Pumphrey
J. M. Billeter	T. R. Jones	Richard Radcliffe
Joseph Boitnott	John H. Klette	S. H. Rogers
John W. Douglas	William J. Kuh	W. E. Rogers
John C. Duffy	Simon B. Lott	S. M. Saufley
G. P. Durrett	C. R. Luker	Ed. D. Stone
W. N. Flippin	Dr.J.N.M'Cormack	W. T. Stott
Vert C. Fraser	Geo. M. McDowell	N. C. Tilford
Frank C. Greene	John G. Miller, Jr.	James T. Webb
W. L. Hampton	T. T. Mobley	W. M. Webb
J. B. Harvey	J. R. Mount	J. D. Wills
W. E. Henninger	A. J. Oliver	M. O. Wilson

—42

Those who voted in the negative were—

Geo. B. Barrett	M. J. Farris, Jr.	S. Mazyck O'Brien
Elmer L. Brown	John F. Fryer	A. W. Palmer
C. W. Burton	E. V. Hall	William A. Perry
Glover H. Cary	V. D. Hammond	W. A. Price
Ed. F. Cecil	H. H. Hays	Dr. W. R. Ray
J. G. Coke, Jr.	R.B.Hutchcraft,Jr.	Stanley F. Reed
Benj. L. Cox	W. T. McNally	Adam Spahn
John Drescher	Harry J. Myers	Matt.S.Walton,Jr.
H. C. Duffy	Zach. L. Myers	N. B. White
William Duffy	John E. Newman	
Thomas J. Evans	C. B. Nichols	—31

Resolved, That the title thereof be as aforesaid.

Mr. J. T. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration a bill entitled:

H. B. 275. An Act to amend Sections One, Two, Four, Five, Six and Thirteen of Chapter 5 of the Acts of 1912, entitled "An Act relating to Fire, Lightning, Hail, Windstorm and Sprinkler Leakage Insurance, and to regulate and control the rates of premium thereon and creating a State Insurance Board and defining the powers and duties of said Board," and to further amend said Act by enacting subsection 2a, providing that certain insurance companies, their agents and representatives, shall furnish the State Insurance Board certain data in their possession affecting insurance risks and rates thereon and fixing a penalty for its violation.

Together with amendments proposed thereto by the Senate.

(For said bill see House Journal of February 13th.)

The amendments proposed thereto by the Senate are as follows, viz.:

IN THE SENATE.

February 26th, 1914.

Resolved, That House Bill No. 275 do pass with the following amendments, viz.:

1. That House Bill No. 275 be and the same is hereby amended by striking out section one thereof and enacting in lieu thereof the following:

Section 1. There is hereby created a board, to be known as the State Insurance Board, which shall be composed of the Insurance Commissioner of the State of Kentucky, who, in addition to his duties now imposed by law, shall act as secretary thereof, and two other members who shall be citizens of this State, and be at least twenty-five years of age, to be appointed by the Auditor of Public Accounts, one of whom shall be chairman of the board. The Auditor of Public Accounts shall appoint two members immediately after this Act takes effect and the appointment so made shall be for a term of four years. The board so constituted shall exercise all of the powers and duties and be charged with all the responsibilities embraced in this act and shall have the power to decide all questions required, authorized or permitted to be passed upon by this Act, or incidental to the powers herein conferred. The members of said board, other than the Insurance Commissioner of the State of Kentucky, shall each receive a salary of three thousand dollars per annum. The Insurance Commissioner of the State of Kentucky shall receive six hundred dollars per annum in addition to the com-

pensation now received by him, for the duties imposed by this Act. Said board in all legal matters shall be represented by the Attorney General except when it is impracticable for the Attorney General to represent said Board, in which event the Attorney General is hereby empowered to employ an attorney to represent said board, but the compensation of such attorney shall not exeed three thousand dollars in any one year, to be paid as herein provided, and "the said State Insurance Board shall, with the approval of the Auditor of Public Accounts, employ clerical help, experts, inspectors, and such other assistants, and may incur such other expenses, as may be necessary in carrying out the provisions of this Act not to exceed the sum provided for herein."

The salaries of the members of the said board and of the attorney for said board, shall be paid monthly out of the treasury of the Commonwealth, out of the insurance fund, and other expenses of the board shall also be paid out of said fund and all payments shall be by warrant of the Auditor upon vouchers signed by the chairman and countersigned by the secretary of said board. The office of said board is fixed in the same office as that of the Insurance Commissioner of the State of Kentucky, and all the regular meetings of the board shall be held and all of the records kept in such office: Provided, That the board may hold special meetings at other places in the State if it so determines. The office of said board and of the Insurance Commissioner of the State of Kentucky shall always be kept together and the clerical force of said board and said Insurance Commissioner shall be jointly employed and their services used for the work of both of said offices.

2. That section 2 of said bill No. 275 be and the same is hereby amended by striking out all of said section as it appears in said amendment and inserting in lieu thereof the following:

Section 2. Every insurance company licensed to do business in this State, and, doing at the time this Act shall

take effect, a business of insurance against loss or damage by fire, lightning, hail, windstorm and sprinkler leakage, shall within thirty days thereafter file with the secretary of said board:

"A. Two copies of every general basis schedule now being applied in this State, showing all charges and credits, terms, privileges, riders and conditions, which in any wise affect rates, or the cost of insurance on property located in this State.

"B. Two copies of every book of published specific estimates or rates with inserts showing revisions and additions to date; two copies of every printed rate card where the rate card system is in use; and two copies of a statement showing every specific rate not given in a book of estimates of rates, or not given in a set of printed rate cards."

The grade of each town or municipality shall be shown in connection with such information, together with two copies of the inspection report upon which each town has been graded; the basis tables of the Analytic System that are in use in various localities shall be stated. In each case where the rate has not been formed by the application of a general basis schedule, the fact shall be noted. The information shall show also the general type of construction and occupancy of each risk, and if it is protected by automatic sprinklers the fact shall be noted. Provided, that all companies that use the same general basis schedule and specific rates may authorize some agent to file the two sets of required information in common for all. Any company thus represented that deviates in any manner or particular from the information filed in common shall file in addition thereto a full statement of the plan of deviation which it follows. It shall be the duty of said board to consider the information thus filed, with reference to the reasonableness of the general basis schedule, charges and credits, terms, privileges, riders and conditions, which in any wise affect rates or the cost of insurance, and with reference to the reasonableness of the

specific rates and grading of towns and selection of basis tables. And said board shall make such alteration, change, rejection and substitution as will enable it to publish reasonable general basis schedules, showing all charges and credits, terms, privileges, riders and conditions which in any way affect rates or the cost of insurance, so that a reasonable rate may be formed by the application of the schedule adopted by it for every risk in this State upon which insurance of the kind regulated by this Act is written. After the publication of a general basis schedule, in the manner hereinafter provided, it shall be used by each insurance company regulated by this Act for the formation of specific rates on all risks of the class to which the schedule applies. The rate obtained by faithful application of the appropriate general basis schedule published by the said board, shall be the lawful rate in this State. It shall be unlawful to use any other rate, except that obtained by uniform deviation from published schedule rates in the manner hereinafter provided. It shall be the duty of the said board to act upon as full information as possible in the preparation of a general basis schedule, and the said Board is hereby empowered to call for and obtain from the insurance companies regulated by this Act, any and all information that it deems useful. When the said Board is ready to publish a general basis schedule, it shall notify all insurance companies and other interests concerned, by mail, and such insurance companies and other interests shall examine the provisions of the said schedule. If objections are found, the objectors may file the objections in writing with the Secretary of the said board within thirty days from the date of notification, or may apply for a hearing upon the objections within the thirty days. If no objection is raised, the schedule shall be published at the end of thirty days from the date of notification and shall take effect immediately. If objections are raised or a hearing asked, the said board shall take action thereafter upon the objections and requests presented. Such action by the said board shall be duly reported to all parties

interested, by mail, and the schedule as affected by such action by the said board shall be published within fifteen days after notification unless some interested party shall appeal to a court having jurisdiction as hereinafter provided. Any interested party shall upon request be placed upon the mailing list of the said board and shall thereafter receive due notification of all actions taken by the said Board that affect rates or the cost of insurance regulated by this act. "It shall be the duty of each insurance company governed by this act, individually, or through some agency for the purpose, to apply each general basis schedule immediately after publication. The specific rates found by the schedule shall be filed with the secretary of the said board as soon as found. The said board in publishing each general basis schedule shall set a date at which the filing of all specific rates under the schedule shall be completed, but such date may be extended for cause by the said board."

All insurance governed by a general basis schedule and written after the date of publication shall be entitled to the rates established by the schedule.

If at any time in the opinion of the State Insurance Board an emergency arises that justifies a percentage increase in rates or a percentage reduction in rates, on any class of risks, the board shall have power to so order such change after a thorough investigation; subject, however, to the same course of procedure as prescribed for the publication of a general basis schedule, including the right of appeal to the courts of this Commonwealth.

During the interim prior to the publication of a general basis schedule for a given class of risks, the existing specific rates may be used and the existing general basis schedule may be applied to new risks and to new conditions in old risks, and the said board shall make such temporary orders modifying existing specific rates or existing general basis schedules as the situation may demand. Such modifying orders of any general basis schedule or schedules shall be subject to the

same course of procedure as prescribed for the publication of a general basis schedule. It shall be the duty of the said board to provide for a system of adequate reports, from insurance companies, their employes and agents, or from property owners, and in such manner as the board may deem proper, for the purpose of showing the relation of losses to hazards in risks and rates of loss for normal and sub-normal risks. Such facts shall be given suitable publicity by the said board and shall be kept accessible to the representatives of any interest that may wish to know the facts in order to plan the removal of hazards or in order to justify a request for a modification in a general basis schedule or a specific rate filed with the said board.

The Auditor of Public Accounts, upon the recommendation of the State Insurance Board, is hereby authorized and empowered to appoint a commission consisting of three competent and disinterested citizens of Kentucky, one of whom shall be experienced in the business of fire insurance, one a merchant, and one a manufacturer, whose duty it shall be to make investigation and obtain information and report to the next General Assembly their judgment as to the necessity and advisability of enacting laws regulating the rates charged for insurance in this State governed by this Act, and to make such recommendations regarding the insurance laws of the State of Kentucky as in their judgment may seem wise or proper. Said commission shall have the authority to subpoena and compel the attendance of witnesses and to cause for its consideration the production of such documents, exhibits, and such other data as it may deem necessary, from property owners and other citizens of the State, insurance companies, their agents and representatives, as will enable them to carry out the provisions of this section. The members of said commission shall each receive a per diem for their services, to be agreed upon by the State Insurance Board, and their necessary expenses, the same to be paid monthly out of the Treasury of the Commonwealth out of the Insurance Fund.

It shall be the duty of the State Insurance Board to maintain a department of hydraulics and electrical engineering, in charge of a competent employee, whose duty it shall be to encourage installation of water works and fire departments in cities and towns, to improve those already installed, to supervise electrical installation throughout the State and to perform such other duties as said board may require looking toward a general improvement through the State in such matters.

The Insurance Board shall, through competent employees, inspect cities and towns and individual risks therein with a view to the improvement of the general physical condition thereof, and shall investigate the matter of amount of insurance as to insurable value of property where deemed advisable. Such employees shall perform such other services looking to the reduction of the fire waste in said State as may be ordered by the board.

That section 2a of said bill No. 275 be, and the same is, hereby amended by striking out all of said section as it appears in said amendment and inserting in lieu thereof the following:

2a. The said board is further authorized and empowered to require any company or joint agent, or representative of any company or companies to turn over to it copies of any or all tariffs, inspection reports, surveys, rate slips and all other information in their possession affecting rates charged and to be charged for insurance upon property in this State for its use in making and adopting schedules as provided herein. Any company, agent or representative of any company violating this section shall be subject to a fine of not exceeding five hundred dollars.

The said board shall notify each property owner whose rate has been added to because of any defects charged for in the make up of said rate as shown by said tariffs, inspection reports, surveys and rate slips with a view of having such defects remedied.

That section 3 of said bill No. 275 be, and the same is, hereby amended by striking out all of said section as it appears in said amendment.

That section 4 of said bill No. 275 be, and the same is, hereby amended by striking out all of said section as it appears in said amendment.

That Section 5 of said bill No. 275 be, and the same is, hereby amended by striking out all of said section as it appears in said amendment and inserting in lieu thereof the following:

Section 6. All general basis schedules which are in force in accordance with the provisions of the Act shall be open to the inspection of the public, and each local agent shall have and exhibit to the public a copy of all general basis schedules and of the specific rates published for his locality. The board shall, upon written request of any insurance company authorized to do business of any kind governed by this Act, or of any property owner, furnish a duplicate survey showing all details in the formation of any rate, calling attention to the charges included therein.

That section 6 of the said bill No. 275 be, and the same is, hereby amended by striking out all of said section as it appears in said amendment and inserting in lieu thereof the following:

Section 13. The total amount which said board shall be authorized to expend in one year, for all purposes, shall not exceed a sum equal to one per cent, of the aggregate amount of gross premiums collected during the preceding year for insurance against fire, lightning, hail, windstorm and sprinkler leakage by insurance companies coming under the provisions of this Act and doing business in this State during the preceding year. It shall be the duty of the Insurance Commissioner of the State of Kentucky to, in addition to the amounts now authorized to be collected by him and paid into the State Treasury, collect from each insurance company coming under the provisions of this Act and doing business in this State

during the preceding calendar year, or any portion thereof, a sum equal to one per cent of the gross amount of premiums collected by said company during such year from persons or upon property located in this State for insurance against fire, lightning, hail, windstorm and sprinkler leakage, provided that in computing such gross premium receipts there shall be deducted therefrom the amount paid for authorized reinsurance and for return premiums on canceled policies, and further, there shall be deducted therefrom the net receipts, viz.: gross loss cancellations and authorized reinsurance on farm dwellings and hail insurance on tobacco. Each insurance company coming under the provisions of this Act shall pay the amount to be collected from it, as provided for herein, not later thirty days after demand for same has been made by the Insurance Commissioner for the year 1914, computed upon the receipts for 1913, and on or before the first day of March for each succeeding year thereafter. All moneys so collected by the Insurance Commissioner shall be paid into the State Treasury to the credit of the Insurance Department, for the purpose of paying the expenditures authorized by this Act. If at the end of any year, it shall be found that the aggregate amount expended in carrying out the provisions of this Act during such year has been less than the aggregate collected for such purpose, the amount remaining unexpended shall be applied to the reduction of the amount to be collected from said companies for the ensuing year in proportion to the amount so paid.

Amend by adding at the end of the last word in the last line of the last section the following language:

Provided, the provisions of this Act shall not apply to mutual fire insurance companies doing business in this State.

Said amendments were concurred in.

Said bill, as amended, was then, finally passed.

The yeas and nays being taken on the final passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. L. Hampton	Dr. T. J. Poteet
Geo. B. Barrett	V. D. Hammond	J. D. Pumphrey
Henry C. Blades	H. H. Hays	Richard Radcliffe
Joseph Boitnott	Dr. S. L. Henry	Dr. W. R. Ray
Glover H. Cary	R.B.Hutchcraft,Jr.	Stanley F. Reed
Ed. F. Cecil	J. M. Johnson	W. E. Rogers
J. G. Coke, Jr.	T. R. Jones	W. A. Shawler
Benj. L. Cox	John A. Judy	Adam Spahn
James R. Dorman	John H. Klette	Ed. D. Stone
John W. Douglas	William J. Kuh	W. T. Stott
John Drescher	Simon B. Lott	Louis Tieman
H. C. Duffy	C. R. Luker	N. C. Tilford
John C. Duffy	Dr.J.N.M'Cormack	James T. Webb
Odie Duncan	Geo. M. McDowell	W. M. Webb
G. P. Durrett	John G. Miller, Jr.	N. B. White
Thomas J. Evans	T. T. Mobley	J. D. Wills
Vert C. Fraser	J. R. Mount	M. O. Wilson
Frank C. Greene	Harry J. Myers	Roy S. Wilson
E. V. Hall	C. B. Nichols	
Elwood Hamilton	A. W. Palmer	—58

Those who voted in the negative were—

Elmer L. Brown	J. J. Huff	Lilburn Phelps
William Duffy	Zach. L. Myers	William A. Perry
M. J. Farris, Jr.	John E. Newman	John A. Polin
J. B. Harvey	S. Mazyck O'Brien	S. H. Rogers
W. E. Henninger	A. J. Oliver	L. M. Smith
		—15

Mr. H. J. Meyers moved that the vote by which said bill was finally passed be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

Mr. Phelps moved that the rules be suspended; that the House take up for consideration a bill entitled:

S. B. 145. An Act amending Section 965, Kentucky Statutes, Carroll's Edition 1909, changing the time of holding Circuit Court in the Twenty-ninth Judicial District as to Casey County.

Said motion was agreed to.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 965 Kentucky Statutes, Carroll's Edition, 1909, and the subdivision of said section denominated Twenty-ninth District, relating to the time of holding Circuit Court in Casey County, which reads as follows: "Casey County at Liberty, on the first Monday in March, July, November, 12 juridical days each," be amended by striking out the words, "March, July and November," and by inserting in lieu thereof the words "January, May and September," so that part of said section relating to Casey County as amended shall be:

"Casey County at Liberty on the first Mondays in January, May and September, twelve juridical days each."

§ 2. Whereas, it is important to attorneys, officers and litigants, that said change be effective as early as possible, an emergency is declared to exist and this Act shall be in effect from its passage and approval by the Governor.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. B. Harvey	A. J. Oliver
Wallace Bailey	H. H. Hays	A. W. Palmer
Jas. W. Barrall	W. E. Henninger	W. A. Price
Geo. B. Barrett	Dr. S. L. Henry	J. D. Pumphrey
J. M. Billeter	J. J. Huff	Richard Radcliffe
Henry C. Blades	R.B.Hutchcraft,Jr.	Dr. W. R. Ray
Joseph Boitnott	J. M. Johnson	Stanley F. Reed
Elmer L. Brown	T. R. Jones	S. H. Rogers
Ed. F. Cecil	John A. Judy	W. E. Rogers
Benj. L. Cox	John H. Klette	S. M. Saufley
James R. Dorman	William J. Kuh	W. A. Shawler
John W. Douglas	Simon B. Lott	L. M. Smith
John Drescher	C. R. Luker	Adam Spahn
H. C. Duffy	Dr.J.N.M'Cormack	W. T. Stott
John C. Duffy	Geo. M. McDowell	Louis Tieman
William Duffy	W. T. McNally	N. C. Tilford
G. P. Durrett	John G. Miller, Jr.	Matt.S.Walton,Jr.
Thomas J. Evans	T. T. Mobley	James T. Webb
M. J. Farris, Jr.	J. R. Mount	W. M. Webb
W. N. Flippin	Harry J. Myers	John F. White
E. V. Hall	Zach L. Myers	N. B. White
Elwood Hamilton	John E. Newman	J. D. Wills
W. L. Hampton	C. B. Nichols	M. O. Wilson
V. D. Hammond	S. Mazyck O'Brien	Roy S. Wilson

—72

Resolved, That the title thereof be as aforesaid

Mr. Hamilton indicated the hour of 12:00 o'clock, and moved that the House take up for consideration as a special order a bill entitled:

H. B. 35. An Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundaries of the State in part or in whole.

Mr. Judy indicated that the hour for said special order, i. e. House Bill 35, was 11:00 o'clock, A. M., instead of 12:00 o'clock, M.

And so said motion to take up for consideration H. B. 35 was disagreed to.

Mr. Pumphrey moved that when this House adjourn today it be to meet at 1:00 P. M., on Monday, March 2, 1914.

Said motion was agreed to.

Mr. Walton moved that H. B. 35 be made a special order on Tuesday, March 3rd, at 2:00 o'clock, P. M., or at such time as the House may convene on Tuesday afternoon.

Said motion was agreed to.

The following pair was reported to the Clerk:

L. J. Parrigin, Wayne County, paired with Elwood Hamilton, Franklin County, on substitute to H. B. 35. If L. J. Parrigin was present he would vote "no" on substitute, and Elwood Hamilton would vote "aye."

L. J. Parrigin, Elwood Hamilton.

Mr. Brown moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, MARCH 2, 1914.

The House was opened with prayer by the Rev. J. R. Zeigler, of the Presbyterian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Walton moved that the House dispense with the orders of the day and that the committees be called to report.

Said motion was disagreed to.

Upon a call of the counties and representative districts, bills were introduced, ordered printed, and referred as follows:

By Mr. Palmer:

H. B. 606. An Act authorizing the Commonwealth of Kentucky to use all public streets and roads for the purpose

of laying pipe lines, water pipes and wires, and authorizing the State to condemn private property for said purpose, and authorizing the governing authorities of public institutions in the State to have such lines laid.

To Committee on Public Roads and Highways.

By Mr. J. C. Duffy:

H. B. 607. An Act relating to Revenue and Taxation.

To Committee on Revenue and Taxation.

By Mr. Judy:

H. B. 608. An Act to amend and re-enact Section 700 of the Kentucky Statutes.

To Committee on Insurance, Fire and Marine.

By Mr. Durrett:

H. B. 609. An Act to repeal charter of the town of Summersville, Green County, Kentucky.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Walton:

H. B. 610. An Act for the benefit of State University, Lexington, Ky., appropriating money for a combined public dining hall for the students; and an auditorium.

Mr. Drescher offered the following resolution:

Be it resolved by the House of Representatives:

That we have evening session every evening from 7:30 until 10:00 o'clock, beginning March 3, 1914, and for the balance of this term, except Mondays, Thursdays and Saturdays, for the consideration of local bills.

Mr. Douglas moved that said resolution be referred to the Committee on Rules.

Said motion was agreed to.

Mr. Hutchcraft, of the Committee on Banks and Banking, to which the same had been referred, with leave to report upon one day's notice, notified the House that H. B. 73 would be called up for consideration tomorrow, March 3rd.

A message was received from the Senate announcing that they had passed bills of the following titles:

S. B. 54. An Act to amend the Constitution of the Commonwealth of Kentucky by allowing the employment of convict labor upon public roads and bridges and State farms.

Ordered that said bill be referred to the Committee on Constitutional Amendments.

S. B. 238. An Act to amend Section 171 of the Constitution of the Commonwealth of Kentucky.

Ordered that said bill be referred to the Committee on Constitutional Amendments.

S. B. 315. An Act to establish a Budget System for State Officers, Departments and Institutions.

Ordered that said bill be referred to the Committee on Appropriations.

Mr. J. T. Webb, of the Committee on Judiciary, to which the same had been referred, with leave to report at any time, reported a bill of the following title:

H. B. 383. An Act relating to provisions in contracts giving to engineers, architects and other persons the power to make final awards and appraisement, and to prevent the ousting of the jurisdiction of the courts by reason of such provisions.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

"That no provision in any contract providing, either in express words or in substance and effect, that an award or appraisement of an engineer, architect or other person, shall be a final or conclusive, nor any provision that a certificate of an engineer, architect, or other person shall be a condition precedent to maintaining an action on such contract, shall oust the jurisdiction of the courts; but any controversy arising on any contract containing such provisions, or any of them, shall be determined in due course of law, with the same effect as if such provisions were not in such contract."

The Committee on Judiciary offered the following amendment, by way of substitute therefor, to said bill:

Said substitute reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

"That no provision in any contract providing, either in express words or in substance and effect, that an award appraisement of an engineer, architect or other person, or the interpretation of a contract or specifications by him, shall be final or conclusive, nor any provision that a certificate of an engineer, architect, or other person shall be a condition precedent to maintaining an action on such contract, shall oust the jurisdiction of the courts; but any controversy arising on any contract containing such provisions, or any of them, shall be determined in due course of law, with the same effect as if such provisions were not in such contract or specifications."

Said amendment, by way of substitute, was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those voting in the affirmative were—

Wallace Bailey	Benj. L. Cox	M. J. Farris, Jr.
Geo. B. Barrett	James R. Dorman	John F. Fryer
J. M. Billeter	John W. Douglas	Frank C. Greene
Henry C. Blades	John Drescher	E. V. Hall
Joseph Boitnott	H. C. Duffy	Elwood Hamilton
Elmer L. Brown	William Duffy	W. L. Hampton
C. W. Burton	G. P. Durrett	H. H. Harrington
Ed. F. Cecil	Thomas J. Evans	J. B. Harvey

H. H. Hays	John McDyer	W. A. Shawler
W. E. Henninger	W. T. McNally	L. M. Smith
Dr. S. L. Henry	John G. Miller, Jr.	Adam Spahn
J. J. Huff	T. T. Mobley	Ed. D. Stone
R.B.Hutchcraft,Jr.	J. R. Mount	W. T. Stott
J. M. Johnson	Harry J. Meyers	N. C. Tilford
John A. Judy	Zach L. Myers	Matt.S. Walton,Jr.
Griffin Kelly	A. W. Palmer	James T. Webb
William J. Kuh	William A. Perry	W. M. Webb
J. C. Lay	John A. Polin	John F. White
Simon B. Lott	Dr. T. J. Poteet	N. B. White
C. R. Luker	W. A. Price	J. D. Wills
Dr.J.N.M'Cormack	Dr. W. R. Ray	
Geo. M. McDowell	W. E. Rogers	—64

Resolved, That the title thereof be as aforesaid.

Mr. W. M. Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles:

By Mr. Farris, of the Committee on Agriculture:

H. B. 572. An Act to regulate the sale and shipment of onion sets and seed potatoes in Kentucky.

By Mr. Greene, of the Committee on Constitutional Amendments:

H. B. 217. An Act for taking the sense of the people of this State as to the necessity and expediency of calling a

convention for the purpose of revising or amending the Constitution and the amendment thereto.

Without expression of opinion.

By same:

H. B. 538. An Act to amend the Constitution of the Commonwealth of Kentucky by striking out Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40 and 41 thereof, and in lieu thereof said sections creating the legislative department of the government, so that it will be composed of twenty-five members.

Without expression of opinion.

By Mr Spahn, of the Committee on Commerce and Manufacturing:

H. B. 597. An Act to further regulate tobacco warehouse companies in the State of Kentucky.

By Mr. Burton, of the Committee on Circuit Courts:

H. B. 429. An Act to create the Eleventh Judicial District so as to include Adair County in said district.

Without expression of opinion.

By Mr. Price, of the Committee on Codes of Practice:

H. B. 517. An Act amending subsection 8 of Section 606 of Civil Code of Practice.

By same:

H. B. 531. An Act to amend Section 619 of the Civil Code of Practice, and Act in reference to Court Costs.

By Mr. J. T. Webb, of the Committee on Judiciary:

H. B. 71. An Act to regulate the sale of stocks, bonds and other securities and of real estate not located in Kentucky, and to prevent fraud in such sales.

By same:

H. B. 430. An Act to regulate the descent and distribution of property of deceased adopted children.

By same:

H. B. 448. An Act to render voidable hasty settlements of claims for personal injuries.

By same:

H. B. 449. An Act defining and prescribing a punishment for the offense of Barratry.

By same:

H. B. 503. An Act to prohibit persons from engaging in the business of aiding and assisting persons to secure marriage license, and aiding and assisting persons in securing officers to perform marriage ceremonies.

By same:

H. B. 520. An Act to amend Section 2119, Kentucky Statutes, 1909 Edition, page 940.

By same:

H. B. 548. An Act to amend Section 815 Kentucky Statutes.

By same:

H. B. 552. An Act appropriating money for the proper care of the State Capitol, Capitol Grounds and Governor's Mansion.

By same:

H. B. 561. An Act providing a stenographer for the grand jury of the various counties of the State of Kentucky.

By Mr. Smith, of the Committee on Kentucky Statutes:

H. B. 542. An Act to regulate the liability of common carriers in the carrying of live stock in this State.

By Mr. Newman, of the Committee on Public Roads and Highways:

H. B. 583. An Act providing transportation for county road engineer and committees of the fiscal court and making automobile trucks a part of road equipment.

By Mr. Walton, of the Committee on Public Utilities:

H. B. 545. An Act to amend subsection 27 of Section 305 of the Kentucky Statutes.

With an amendment thereto by way of substitute therefor.

By Mr. Hamilton, of the Committee on Revenue and Taxation:

H. B. 400. An Act to amend Section 1, Subdivision 4, Article 12, Chapter 22, of Act of the General Assembly of 1906, being "An Act relating to Revenue and Taxation," which same is now Section 4224 of the Kentucky Statutes.

By Mr. Z. L. Myers, of the Committee on State Capitol:

H. B. 579. An Act to amend Sections 2434, 2435 and 2436, Kentucky Statutes, Carroll's Edition 1909.

By Mr. Judy, of the Committee on Suffrage and Election:

H. B. 193. An Act relating to stub books used in regular and primary elections.

By same:

H. B. 410. An Act providing for the expression of the popular will for party nominations of president and vice-president of the United States, providing for the nomination of the presidential electors, election of delegates and alternates to the National Conventions, and the election of National Committeemen therefor, and amending Section 3 of Chapter 7 of an Act of the General Assembly of 1912, entitled, "An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections, and providing penalties for the violation thereof, in so far as it relates to the holding of primary elections in the years when presidents and vice-presidents are elected.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

The House took up for consideration from the calendar, bills of the following titles, viz.:

H. B. 398. An Act to amend Section 181 of the Constitution of the Commonwealth of Kentucky.

H. B. 247. An Act to amend an Act approved March 9, 1906, known as Chapter 17 of the Acts of 1906, entitled "An Act creating and establishing a Board of Commissioners to be known as the Kentucky State Board of Control of Charitable Institutions, and prescribing its duties and powers."

H. B. 492. An Act to repeal and re-enact an Act entitled "An Act granting pensions to indigent and disabled Confederate soldiers," which act became a law March 11, 1912.

H. B. 348. An Act to repeal "An Act for the protection of game and fish," March 12, 1912.

H. B. 36. An Act for the protection of game and to regulate the running of dogs at large.

H. B. 84. An Act for the better protection of game and fish.

H. B. 555. An Act requiring bonding companies to give thirty days' notice before cancelling a guaranty or indemnity bond.

H. B. 462. An Act to amend an Act passed by the General Assembly of the State of Kentucky during the session of 1910, being Chapter 120 of said Acts, and printed in the Acts of the Legislature of 1910, at pages 341 and 343, inclusive, the same being entitled "An Act to amend Section 1907, Subdivision 1, of Article 15, Chapter 46, of the Kentucky Stat-

utes, Carroll's Edition of 1909, entitled "Executions," so as to make it plain what exemptions the housekeeper with a family is entitled to.

H. B. 308. An Act to prohibit women over eighteen years of age from wearing in public, skirts of less width than thirty-three inches and fixing the penalty therefor.

H. B. 414. An Act to regulate elections, to provide for the publication of campaign contributions, to control and regulate the contribution and expenditure of campaign funds, and to control and regulate contributions made for campaign purposes to further the election of any party organization or person, and fixing penalties therefor.

H. B. 426. An Act to amend and re-enact sub-sections 2 and 3 of Section 1596a, of the Kentucky Statutes, and being parts of Article 15 of Chapter 41 of the Kentucky Statutes, entitled "Election Commissioners—Contested Elections."

Ordered that said bills be read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, they were severally read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

Mr. H. J. Meyers offered the following joint resolution:

H. Res. 29. Resolution providing for the unveiling of statue of William Goebel, Kentucky's Martyred Governor, and appropriating two hundred dollars therefor.

Said resolution reads as follows:

Whereas, the General Assembly of the Commonwealth of Kentucky by an Act approved March 25, 1904, provided that a Commission be appointed composed of the Governor of the Commonwealth, the Lieutenant Governor, Auditor, Treasurer and Attorney General, and empowered them to purchase and cause to be erected a suitable statue of William Goebel, Kentucky's Martyred Governor, and appropriated the sum of twenty thousand dollars therefor; and,

Whereas the said Commission in compliance with said Act caused to be erected said statue which now stands veiled at the front end of the main approach to the Capitol building; and,

Whereas this General Assembly should with appropriate ceremonies cause same to be unveiled and dedicated to the Commonwealth; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the said statue be unveiled on the 11th day of March, 1914, at 1 o'clock P. M., and that a committee of five be appointed by the President of the Senate and a like committee be appointed by the Speaker of the House who shall prepare a suitable program for the unveiling of said monument and who shall cause to be made all necessary arrangements therefor; and,

Be it further resolved, That there is hereby appropriated the sum of two hundred dollars or so much thereof as may be necessary therefor to defray the expenses incident thereto.

Mr. H. J. Meyers moved, that the rules be suspended, that said resolution be adopted.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Geo. B. Barrett	W. L. Hampton	John E. Newman
Henry C. Blades	H. H. Harrington	S. Mazyck O'Brien
Joseph Boitnott	J. B. Harvey	A. W. Palmer
Elmer L. Brown	H. H. Hays	William A. Perry
C. W. Burton	Dr. S. L. Henry	John A. Polin
Ed. F. Cecil	R.B.Hutchcraft,Jr.	Dr. T. J. Poteet
Benj. L. Cox	J. M. Johnson	J. D. Pumphrey
James R. Dorman	T. R. Jones	Richard Radcliffe
John W. Douglas	John A. Judy	Dr. W. R. Ray
John Drescher	Griffin Kelly	W. E. Rogers
John C. Duffy	John H. Klette	S. M. Saufley
William Duffy	William J. Kuh	W. A. Shawler
G. P. Durrett	Simon B. Lott	L. M. Smith
Thomas J. Evans	Dr.J.N.M'Cormack	Adam Spahn
Vert C. Fraser	Geo. M. McDowell	W. T. Stott
Ed. Frost	W. T. McNally	N. C. Tilford
John F. Fryer	John G. Miller, Jr.	Matt.S. Walton,Jr.
Frank C. Greene	T. T. Mobley	James T. Webb
E. V. Hall	Harry J. Meyers	W. M. Webb
Elwood Hamilton	Zach L. Myers	

—59

There voted in the negative —

J. B. Mount.

—1

And so said resolution was adopted.

Mr. Greene moved that the rules be suspended, that the House take up for consideration, from the orders of the day, and place upon its passage, a bill entitled:

H. B. 105. An Act regulating the disposition of all moneys received by the Commonwealth of Kentucky as registration or license fees on automobiles and other motor or electric vehicles.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all moneys received by the Commonwealth of Kentucky as registration or license fees on automobiles, and other motor or electric vehicles shall be by the person or persons collecting same deposited in the State Treasury, and set apart as a road fund, which fund, less the cost of procuring and delivering registration or license certificates, number plates, and other expenses including an amount sufficient to pay the cost of necessary assistants in the office of the Secretary of State, to be determined by the Secretary of State, with the approval of the Governor, shall be paid semi-annually on January 1st and July 1st of each year on warrants of the Auditor of State to the counties of the Commonwealth of Kentucky as hereinafter provided:

One-third of all such money received, as above stated, shall be divided equally among the counties of the Commonwealth of Kentucky.

One-third shall be divided among the counties in the proportion which the number of miles of free gravel or macadam roads in the county bears to the whole number of such roads in the Commonwealth of Kentucky.

One-third shall be divided among the counties on the basis of the amount received from the counties from such registration of license tax.

In case the amount received by any county shall exceed one hundred and fifty ($150) dollars per mile for each mile of free gravel or macadam roads, the excess shall be paid

into the road funds of the various counties in proportion to the number of miles of dirt roads which shall be set apart and expended in the maintenance of such dirt roads. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Mr. Greene offered an amendment to said bill by way of substitute therefor.

Said substitute reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all moneys received by the Commonwealth of Kentucky as registration and license fees on automobiles and other motor and electric vehicles shall be by the person or persons collecting same deposited in the State Treasury at the end of each month and set apart as a road fund, which fund shall be paid semi-annually on January 1st and July 1st of each year on warrants of the Auditor of State to the counties of the Commonwealth of Kentucky as hereinafter provided:

One-third shall be divided among the counties in the proportion which the number of miles of free gravel and macadam roads in each county bears to the whole number of such roads in the Commonwealth of Kentucky.

One-third shall be divided among the counties on the basis of the amount received from the counties from such registration and license tax.

One-third shall be divided equally among the counties of the Commonwealth of Kentucky.

In case the amount received by any county shall exceed two hundred ($200) dollars per mile for each mile of free gravel and macadam roads in such county, the excess shall be paid into the road funds of the various counties in propor-

tion to the number of miles of dirt roads in each county, which shall be set apart and expended in the maintenance of such dirt roads.

That whenever the term "motor vehicle" is used in this act it shall be construed to include automobiles, locomobiles and all other vehicles propelled otherwise than by muscular power, except motor bicycles, traction engines, road rollers and motor vehicles running only upon rails or tracks, fire wagons and engines, ambulances and police wagons, but nothing in this act shall be construed to apply to or affect bicycles or tricycles or such other vehicles as are propelled exclusively by muscular power.

That upon each of such vehicles in the State of Kentucky failing to have such license as provided for under the laws of the State of Kentucky, and being operated in the State of Kentucky, and failing to comply strictly with the laws of Kentucky relative to such vehicles will hereafter be placed under the supervision of the Revenue Agents of the State of Kentucky and such agents for each disclosure of such failure are allowed twenty-five per cent of such license tax required for such vehicle, same to be paid by the person owning such vehicle and said agent is hereby given a lien on said vehicle to secure the payment of his said claim and same being in addition to the regular license fee going to the State.

Out of the proceeds of such license the Treasurer of State will first set apart annually the sum of ten thousand ($10,000.00) dollars and no more, to be used in support of the total expense of the division of public roads department of State government, the residue of such proceeds to be expended as hereinabove set out.

The Treasurer will on or before June 1, 1914, distribute the road fund now on hand in excess of ten thousand dollars, in the manner and form above set out, among the various counties of the State.

All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Mr. Saufley moved that the further consideration of said bill be postponed, that said substitute be printed.

Said motion was disagreed to.

Mr. Mobley offered the following amendment to said substitute:

"Amend by striking out first section and substituting therefor the following:

" 'One-third to be divided among counties according to number of square miles in each county of this Commonwealth.' "

Said amendment was disagreed to.

Mr. Evans offered the following amendment to said substitute:

"After the word 'provided' shall be inserted the following: 'All money shall be divided equally among all the counties of the State.' " "All laws and parts of laws in conflict with this section are hereby repealed."

Said amendment was disagreed to.

Mr. Saufley offered the following amendment to said substitute, by way of substitute:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Commissioner of Public Roads shall have general supervision over all public roads which are being constructed, reconstructed or improved in whole or in part by aid of State money.

§ 2. To provide means whereby the State of Kentucky may aid the counties of the State in constructing, reconstructing or improving public roads, there is hereby set apart in the State Treasury the State Road Fund that has heretofore or may hereafter accrue from the license tax on motor vehicles excepting such funds as are otherwise appropriated. Provided, that the total appropriations from this fund shall not exceed in any one year, the surplus and income of this fund for said year.

§ 3. The Fiscal Court of any county may pass a resolution stating that the public interest demands the improvement of a public road or section thereof within the county, and requesting that it be constructed, reconstructed or improved as provided in this act. Such resolution shall contain a description of such public road or section thereof, no portion of which shall be within the corporate limits of a city, town or village. Said petition shall be filed with the State Commissioner of Public Roads.

§ 4. When more roads are petitioned for than can be constructed in any one year in accordance with the provisions of this act as hereinafter provided, the State Commissioner of Public Roads shall take up the petitions in the order in which they are filed and act upon said petitions. The State Commissioner of Public Roads may refuse to grant the requests of any petition if he does not deem the road of sufficient importance or if he deems the cost of said improvement excessive in view of the limited funds available under this act or for any other good and valid reason, but in case of such refusal the Fiscal Court may amend its petition by naming a road or section of road that will meet with the approval of

the State Commissioner of Public Roads, in which case they shall retain their rank in the petitions filed.

§ 5. Roads constructed under the provisions of this act shall be built in accordance with the approved plans, specifications and profiles of the State Department of Public Roads, and shall be model roads of the type of material of which constructed, it being the expressed intention of this act to stimulate road building by object lesson roads.

§ 6. The expense of the improvement of a road or section thereof under the provision of this act shall be borne one-half by the State and one-half by the county; provided, however, that the State shall not bear any portion of the expense of securing right of way or paying damages therefor.

§ 7. All right of way for road or section of road improved under this act shall be at least thirty feet wide and shall be of a greater width if necessary for the proper construction of the road.

§ 8. The term "improvement" as used in this act shall mean any work, whether engineering or construction work which is done according to plans agreed upon by the State Commissioner of Public Roads and the Fiscal Court, and which tends toward and has had for its ultimate object the permanent location and improvement of any public road or section thereof with the county by the construction of macadamized road or other stone roads, or roads constructed of gravel, sand-clay or other similar material or earth roads which are properly crowned, graded and ditched, or a road constructed of asphaltum, brick, concrete or other paving materials, provided, however, that the Commissioner of Public Roads and the Fiscal Court shall agree upon the material to be used for surfacing. It is further provided that no county shall receive in any one year more than two thousand dollars for the purposes of constructing roads under the provisions of this act and that in subsequent years counties that have not availed themselves of the provisions of this act will have

priority over counties that have. It is further provided that roads constructed under this act shall be maintained for a period of two years under the general supervision and direction of the Commissioner of Public Roads at the county's expense.

§ 9. Within thirty days after the approval of the plans, profiles and specifications by the State Commissioner of Public Roads it shall be the duty of the Clerk of the Fiscal Court of the county to advertise for bids in the manner as is now or may hereafter be provided by law for county road work. Each bidder must accompany his bid with a bond or certified check payable to the sheriff of the county for a reasonable sum to be fixed by the County Judge and approved by the State Commissioner of Public Roads as a guarantee that if said work is awarded to him he will enter into a contract with the said Fiscal Court for the same and furnish bond for faithful performance of said contract in the manner and amount as is now or may hereafter be provided by law. Provided, however, that before any work is done under said contract, the contract and bond must be submitted to the State Commissioner of Public Roads for his aproval thereon, and said Commissioner of Public Roads is hereby authorized, whenever, in his judgment, the best interests of the State requiring him to do so to reject the same; in which case he shall write upon said contract the word "rejected" and append thereto his signature and official title of office and the said contract and the bond required to accompany same shall upon and from the time rejected be null and void; but such rejection shall in no wise operate to prevent said county to readvertise for bids as originally provided for advertising.

§ 10. The State Commissioner of Public Roads is hereby authorized to purchase road machinery out of the State Road Fund, not to exceed $6,000 in cost, for the purpose of road building as provided in this act. Said machinery to be used in counties where none is available, provided said counties

shall pay the cost of transporting said machinery to and from the work. Provided, that one-half of the cost of operating said machinery shall be borne by the State out of the money apportioned to said county.

§ 11. A true copy of all specifications, bids, contract, bonds and approval of surety, certified to be such by the judge of the County Court, shall immediately after the award of any contract be furnished by the said court to the State Commissioner of Public Roads to be filed and remain a record in the office of said Commissioner.

§ 12. Immediately after the awarding of said contract under the provisions of this act, the State Commisioner of Public Roads shall appoint a competent inspector, said inspector shall have general charge of all work done under this act, to inspect the work required to be performed under such contract who shall receive for his services while actually engaged at work, if not otherwise paid, the sum of three dollars per day, to be paid out of the sum apportioned to said county for the one-half of the cost, as all roads constructed under this act. Such inspector before assuming the duties of his office shall make and subscribe to an oath or affirmation before any officer authorized to administer the same, that he will faithfully and to the best of his ability and understanding perform all the duties of his office. The State Commissioner of Public Roads may, however, summarily discharge any inspector and may employ a new inspector in the place of the one so discharged.

§ 13. Where any contract provides for partial payment based upon the amount of work done, it shall be the duty of the inspector as each payment becomes due, to present to the Fiscal Court a certificate signed by such inspector and the County Road Engineer or a representative of the Fiscal Court, in which certificate shall be stated as nearly as can be the amount of work done for which payment is to be made and that the same has been done in all respect in strict com-

pliance with the contract, plans and specifications. When the work under contract shall have been completed or at such other times as is necessary under the provisions of the contract, the inspector and County Road Engineer, or a representative of the Fiscal Court, shall prepare a detailed and itemized statement in quadruplicate of the cost of the improvement, certifying the same, one copy of which shall be filed with the Fiscal Court of the county, one with the County Road Engineer, or a representative of the Fiscal Court, and two with the State Commissioner of Public Roads.

All payments due to any contractor or contractors or others under the provisions of this section, shall when certified to by the inspector and County Road Engineer, or a representative of the Fiscal Court, be presented to the County Court and if found to be correct shall, upon the warrant or order of said court, signed by the Judge thereof, be paid by the County Treasurer.

The State Commissioner of Public Roads shall certify from time to time to the State Auditor, when a road is completed to the satisfaction of the Commissioner of Public Roads, the amount to be paid the county, and the State Auditor shall draw his warrant for the amount so certified on the State Treasurer in favor of the Treasurer of the county and the State Treasurer shall thereupon pay the same to the Treasurer who shall be the custodian thereof and shall be accountable therefor to the Fiscal Court of the county.

Said amendment was disagreed to.

Mr. Hamilton offered the following amendment to said substitute:

"Amend substitute by striking out 'ten thousand dollars' and insert in lieu thereof 'fifteen thousand dollars.'"

Said amendment was agreed to.

Mr. Douglas offered the following amendment to said substitute:

"That not exceeding twenty-five thousand dollars shall be allowed for support of State Road Commission."

Said amendment was disagreed to.

Mr. Humphrey moved the previous question.

Said motion was agreed to.

Mr. J. C. Duffy moved to postpone the further consideration of said bill; that it be made a special order for Wednesday, March 4th, at 2:30 P. M.

Said motion was disagreed to.

Said substitute offered by Mr. Greene, to said bill, was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and, as amended by way of substitute, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. H. Harrington	Lilburn Phelps
Wallace Bailey	J. B. Harvey	William A. Perry
J. M. Billeter	H. H. Hays	John A. Polin
Henry C. Blades	W. E. Henninger	Dr. T. J. Poteet
Joseph Boitnott	J. J. Huff	W. A. Price
Elmer L. Brown	R.B.Hutchcraft,Jr.	J. D. Pumphrey
C. W. Burton	J. M. Johnson	Richard Radcliffe
Ed. F. Cecil	T. R. Jones	Dr. W. R. Ray
Benj. L. Cox	John A. Judy	W. E. Rogers
James R. Dorman	Griffin Kelly	S. M. Saufley
John W. Douglas	John H. Klette	W. A. Shawler
John Drescher	William J. Kuh	L. M. Smith
H. C. Duffy	J. C. Lay	Adam Spahn
John C. Duffy	Simon B. Lott	Ed. D. Stone
William Duffy	C. R. Luker	W. T. Stott
Odie Duncan	Dr.J.N.M'Cormack	N. C. Tilford
G. P. Durrett	Geo. M. McDowell	Matt.S. Walton,Jr.
Thomas J. Evans	W. T. McNally	James T. Webb
M. J. Farris, Jr.	John G. Miller, Jr.	W. M. Webb
Vert C. Fraser	T. T. Mobley	John F. White
John F. Fryer	J. R. Mount	N. B. White
Frank C. Greene	Zach. L. Myers	J. D. Wills
E. V. Hall	John E. Newman	M. O. Wilson
Elwood Hamilton	S. Mazyck O'Brien	
W. L. Hampton	A. W. Palmer	—73

Those who voted in the negative were—

John McDyer	Harry J. Meyers	—2

Resolved, That the title thereof be as aforesaid.

Mr. Pumphrey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Mount moved that the rules be suspended, that S. B. 104 be taken from the orders of the day and placed upon its passage.

The yeas and nays being required thereon, by Messrs. Mount and Ray, were as follows, viz.:

Those who voted in the affirmative were—

Henry C. Blades	J. M. Johnson	S. M. Saufley
Ed. F. Cecil	T. R. Jones	L. M. Smith
G. P. Durrett	Griffin Kelly	Ed. D. Stone
M. J. Farris, Jr.	J. C. Lay	W. T. Stott
Vert C. Fraser	T. T. Mobley	N. C. Tilford
Frank C. Greene	J. R. Mount	James T. Webb
E. V. Hall	Lilburn Phelps	W. M. Webb
W. L. Hampton	Dr. T. J. Poteet	N. B. White
H. H. Hays	J. D. Pumphrey	J. D. Wills
W. E. Henninger	Richard Radcliffe	M. O. Wilson
Dr. S. L. Henry	Dr. W. R. Ray	
J. J. Huff	W. E. Rogers	—34

Those who voted in the negative were—

Peter Ampler	Thomas J. Evans	John G. Miller, Jr.
Wallace Bailey	John F. Fryer	Harry J. Meyers
Joseph Boitnott	Elwood Hamilton	John E. Newman
Elmer L. Brown	H. H. Harrington	S. Mazyck O'Brien
C. W. Burton	J. B. Harvey	A. W. Palmer
Benj. L. Cox	John A. Judy	William A. Perry
James R. Dorman	John H. Klette	John A. Polin
John W. Douglas	William J. Kuh	W. A. Price
John Drescher	C. R. Luker	W. A. Shawler
H. C. Duffy	Dr. J. N. M'Cormack	Adam Spahn
John C. Duffy	Geo. M. McDowell	Matt. S. Walton, Jr.
William Duffy	John McDyer	John F. White
Odie Duncan	W. T. McNally	Douglas G. Wood
		—39

And so said motion was disagreed to.

Mr. H. J. Meyers moved that the vote by which the House refused to consider and place upon its passage S. B. 104 be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Walton moved that the rules be suspended, that the House take up for consideration a bill entitled:

H. B. 249. An Act to impose further duties upon the State and County and City Boards of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

Said motion was agreed to.

Mr. Walton moved that the further consideration of said H. B. 249 be postponed.

Said motion was agreed to.

Mr. Douglas moved that this House do now adjourn.

Said motion was disagreed to.

Mr. Walton moved that the rules be suspended, that the House take up for consideration from the orders of the day, a bill entitled:

S. B. 164. An Act to impose further duties upon the State and County and City Board of Health, physicians and others in regard to the prevention of blindness in this Commonwealth.

Said motion was agreed to.

Said bill reads as follows:

Whereas, Trachoma, and ophthalmia in the new-born, both highly infectious eye-diseases, which usually result in blindness unless promptly recognized and treated, now exist in widely separated counties and sections, and everywhere show a tendency to break over official control and become widespread; and,

Whereas, So large a per cent. of those who now have these diseases, or who are exposed to the contagion of either of them, will become charges upon public charity, as to make systematic precautions against their further spread matters of great financial, as well as humanitarian, importance; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of the county board of health of each county, acting in co-operation with the county medical society and the State Board of Health, to arrange for an annual course of instruction or school for the physicians, midwives and nurses of such county to teach the importance of and the latest and best methods for the early recognition and treatment of, the dangers from, and the precautions to be used against, the infection and contagion to all who come in contact with cases of trachoma and of opthalmia or any other disease of the eyes of the new-born, or with any towel, utensil or other thing used by or for them, and the importance and imperative duty of at once reporting all cases of such diseases to the county or city health authorities, as may be, and of keeping a true record of all such cases.

§ 2. That it shall be the duty of the State Board of Health to secure the co-operation and assistance of the national health authorities in dealing with these diseases, and to prepare and issue bulletins and other literature containing professional and popular information as to the prevalence

and infectious character of such eye diseases, and the precautions to be used against such infections; and to furnish formulae and other information for the use of physicians and midwives in the management and treatment of such diseases. It shall be the duty of the county boards of health to furnish to physicians and midwives the simple drugs to be used for the indigent in preventing and in treating such diseases.

§ 3. That it shall be the duty of every physician and of every midwife who, while in attendance upon a baby under thirty days old or upon its mother, has observed ophathalmia in the new-born baby, and the duty of the head of a family and of trained nurse in a family in which there is a baby under thirty days old and no physician or midwife in attendance, and the duty of trained nurse and of the head of any institution in which there is a baby under thirty days old and no physician or midwife in attendance upon it or its mother, to report the case of ophthalmia in the new-born within six hours after observing it to the city board of health, if the case shall have occurred in a city then having a city board of health, or if there be no city board of health, or if the case shall have occurred outside a city, to the county board of health, within twenty-four hours after observation. And it shall be the duty of every physician to report each case of trachoma so diagnosed by him as attending or examining physician within five days after such diagnosis. And any physician, midwife, nurse, or head of family who fails to make the report required by this Act, shall upon conviction, be fined not more than one hundred dollars; and persistent failure or refusal on the part of a physician, midwife or nurse to make such report or to take the necessary precautions to prevent the spread of such diseases shall be a proper ground for the revocation of the right to practice, after due notice and hearing, as now provided by law for the revocation of certificates to practice medicine in this Commonwealth.

§ 4. That "Ophthalmia in the New-Born" shall be understood to be "any inflammation, swelling and redness of either eye, or of both eyes, either apart from or together with any unnautral discharge from the eye, or eyes, of a baby."

§ 5. That all laws in conflict with this Act are hereby repealed.

Mr. Hutchcraft moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

Peter Ampler	M. J. Farris, Jr.	J. M. Johnson
J. M. Billeter	Vert C. Fraser	T. R. Jones
Henry C. Blades	Ed. Frost	John A. Judy
Joseph Boitnott	Frank C. Greene	Griffin Kelly
Elmer L. Brown	E. V. Hall	John H. Klette
C. W. Burton	Elwood Hamilton	William J. Kuh
Ed. F. Cecil	W. L. Hampton	J. C. Lay
J. G. Coke, Jr.	H. H. Harrington	Simon B. Lott
Benj. L. Cox	J. B. Harvey	C. R. Luker
James R. Dorman	H. H. Hays	Dr.J.N.M'Cormack
John Drescher	W. E. Henninger	Geo. M. McDowell
John C. Duffy	Dr. S. L. Henry	W. T. McNally
William Duffy	J. J. Huff	John G. Miller, Jr.
G. P. Durrett	R.B.Hutchcraft,Jr.	T. T. Mobley

J. R. Mount	Dr. T. J. Poteet	Ed. D. Stone
Harry J. Meyers	W. A. Price	W. T. Stott
Zach. L. Myers	J. D. Pumphrey	Matt. S. Walton, Jr.
John E. Newman	Richard Radcliffe	James T. Webb
S. Mazyck O'Brien	Dr. W. R. Ray	John F. White
A. W. Palmer	W. E. Rogers	M. O. Wilson
Lilburn Phelps	S. M. Saufley	Douglas G. Wood
William A. Perry	L. M. Smith	
John A. Polin	Adam Spahn	—67

There voted in the negative—

John W. Douglas —1

Resolved, That the title thereof be as aforesaid.

Mr. Walton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Fryer moved that the rules be suspended and that H. B. 241 be made a special order for Tuesday, March 3rd, at 11:30 o'clock A. M.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a resolution of the following title:

H. Res. 29. Resolution providing for the unveiling of statue of William Goebel, Kentucky's Martyred Governor, and appropriating two hundred dollars therefor.

Mr. Radcliffe, of the Comittee on Enrollments, reported that they had examined and found correctly enrolled resolution of the following title, viz.:

H. Res. 29. Resolution providing for the unveiling of statute of William Gobel, Kentucky's Martyred Governor, and appropriating two hundred dollars therefor.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon, the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution, which originated in the House and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Under and by virtue of the authority vested in him in H. Res. 29, the Speaker of the House appointed the following Commitee, viz.:

Messrs Harry J. Meyers, Matt S. Walton, Louis B. Tieman, John C. Duffy and Shelton M. Saufley.

Mr. Bailey moved that the rules be suspended and that H. B. 278 be made a special order for Wednesday, March

4th, at 11:00 A. M., and that immediately after the disposition of said bill, House Bill 277 be taken up as a special order for passage and considered by the House.

Said motion was agreed to.

Mr. H. J. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 3, 1914.

The House was opened with prayer by the Reverend Roger T. Nooe, of the Christian Church, of the City of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

The following bills were introduced, ordered printed and referred as follows:

By Mr. Jas. T. Webb:

H. B. 611. An Act providing that real estate used for farming or agricultural purposes only shall not be assessed for taxation at exceeding fifty per cent of its actual cash value estimated at the price it would bring at fair voluntary sales.

To Committee on Revenue and Taxation.

By Mr. Jas. T. Webb:

H. B. 612. An Act to abolish and do away with the Bureau of Vital Statistics.

To Committee on Public Health.

By Mr. Stone:

H. B. 613. An Act to amend and re-enact Section 4384 and 4385 of Article 4, Chapter 113 of Kentucky Statutes, edition 1909, relating to the office of Superintendent of Public Instruction and his employes, abolishing the office of inspectors and fix power of trustees and county superintendents.

To Committee on Education No. 1.

By Mr. White:

H. B. 614. An Act to prevent lobbying with jurors and witnesses and to punish lobbyists and other corruption acts.

To Committee on Judiciary.

By Mr. Poteet:

H. B. 615. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky, relating to the number of amendments that may be submitted to the voters of the State, for their ratification or rejection.

To Committee on Constitutional Amendments.

By Mr. Johnson:

H. B. 616. An Act to reduce the salary of Special Judges from $1,200.00 to $600.00 per year.

Mr. Polin moved that H. B. 429 be taken from the calendar and recommitted to the Committee on Circuit Courts.

Said motion was agreed to.

Mr. Spalm offered the following joint resolution:

H. Res. 30. Resolution appropriating $131.83 to be paid the State Journal Company for printing five thousand copies of Tax Commission Reports.

Whereas, the State Journal Company printed 5,000 copies of the preliminary report of the Kentucky State Tax Commission, and whereas under the resolution of 1912, creating said Commission, it was held by the Governor of this Commonwealth that said reports could not be printed at the expense of the State, and whereas the members of said Tax Commission became personally liable for the amount due, to-wit: $131.83, for having said report printed; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the sum of $131.83 is hereby appropriated and allowed the State Journal Company for printing 5,000 copies of said report.

Section 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer in favor of said State Journal Company for said amount.

Section 3. This money having long since been due, an emergency is hereby declared to exist and this resolution shall take effect from and after its adoption.

Ordered that said resolution lie on the Clerk's desk.

Mr. Judy moved that H. B. 459 be taken from the orders

of the day and made a special order for Wednesday, March 4th, at 10:30 a. m.

Said motion was agreed to.

The committees to which the same had been referred, reported bills of the following titles:

By Mr. S. H. Rogers, of the Committee on Mines and Mining:

H. B. 339. An Act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional inspectors; to fix the salaries of the chief inspector and the assistant inspectors of mines; and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State.

With amendments thereto.

By Mr. Kuh, of the Committee on Forestry:

H. B. 574. An Act to repeal the Kentucky Statutes and re-enact in lieu thereof the "Decalogue" as was delivered to Moses on Mount Sinai by the Supreme Lawmaker.

Said bills were severally read the first time at length and ordered to be placed on the calendar.

Mr. Hamilton moved that the rules be suspended; that the House go into the committee of the whole on the State of the Commonwealth for the purpose of taking up and considering H. B. 45.

Said motion was agreed to.

Mr. Hamilton moved that for the purpose of the House going into the committee of the whole, special orders should retain their regular position.

Said motion was agreed to.

Thereupon the House resolved itself into the committee of the whole on the State of the Commonwealth for the purpose of considering H. B. 45.

The Speaker of the House designated Mr. Pumphrey as chairman of the committee of the whole House.

The Speaker of the House vacated the Chair.

Mr. Pumphrey assumed the Chair as chairman of the committee of the whole.

The committee of the whole took up for consideration a bill entitled:

H. B. 45. An act to revise a part of the Revenue Laws of this State, and to repeal certain sections of Carroll's Statutes of Kentucky, Edition of 1909, and subsequent acts amendatory thereof, all relating to Revenue and Taxation.

The hour of 12:30 having arrived, this House recessed until 2:00 o'clock p. m.

AFTERNOON SESSION.

At 2:00 o'clock p. m. the committee of the whole reconvened for the further consideration of H. B. 45.

Mr. Hamilton moved that the committee of the whole arise and report.

Said motion was agreed to.

Mr. Pumphrey, chairman of the committee of the whole, reported progress and asked for further time to consider H. B. 45.

Said request was granted.

The Speaker of the House resumed the Chair.

Mr. Pumphrey moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.